



City Council Chamber
1515 6th Street, Coachella, California
(760) 398-3502 ♦ www.coachella.org

AGENDA

OF A REGULAR MEETING
OF THE
CITY OF COACHELLA
PLANNING COMMISSION

September 18, 2024
6:00 PM

<p>In-Person Meeting Location: City Council Chamber 1515 6th Street, Coachella, CA</p>	<p>If you would like to attend the meeting via Zoom, here is the link:</p> <p>https://us02web.zoom.us/j/84544257915?pwd=VTdHWitpYVdOUk1NQW8vZ1pqUm0zQT09</p> <p>Or One tap mobile : +16694449171,,84544257915#,,,,*380084# Or Telephone: US: +1 669 900 6833 Webinar ID: 845 4425 7915 Passcode: 380084</p> <p>Spanish: El idioma español está disponible en Zoom seleccionado la opción en la parte de abajo de la pantalla</p>
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- Public comments may be received **either in person, via email, telephonically, or via Zoom** with a limit of **250 words, or three minutes:**
 - **In Real Time:**
If participating in real time via Zoom or phone, during the Public Comment Period, use the “**raise hand**” function on your computer, or when using a phone, participants can raise their hand by pressing *9 on the keypad.
 - **In Writing:**
Written comments may be submitted to the City Council electronically via email to cityclerk@coachella.org. Transmittal **prior to the start** of the meeting is required. All written comments received will be forwarded to the City Council and entered into the record.
 - If you wish, you may leave a message at (760) 262-6240 before 5:30 p.m. on the day of the meeting.
- The **live stream** of the meeting may be **viewed online** by accessing the city's website at www.coachella.org, and clicking on the "**Watch Council Meetings**" tab located on the home page, and then clicking on the "live" button.

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

APPROVAL OF AGENDA:

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

APPROVAL OF THE MINUTES:

1. Planning Commission Meeting Minutes September 4, 2024

WRITTEN COMMUNICATIONS:

PUBLIC COMMENTS (NON-AGENDA ITEMS):

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

REPORTS AND REQUESTS:

NON-HEARING ITEMS:

2. Coachella Wireless Telecommunication Facilities Status Update
3. Request for a third 12-Month Time Extension for Tentative Tract Map No. 37088 (Ravella) to allow a 115 unit single family residential subdivision on a total of 20 acres of vacant land in the CN-PD (Neighborhood Commercial – Planned Unit Development) zone located at the northwest corner of Avenue 50 and Calhoun Street.

PUBLIC HEARING CALENDAR (QUASI-JUDICIAL):

4. AM PM – Type 21 Alcohol Sales Conditional Use Permit No. 364 (Mod)

Request to modify conditions of approval for CUP 364 for liquor sales as part of the operation of a 5,170 sq. ft. “AMPM” convenience store (ABC License Type 21, Off-Sale General) in an existing commercial building located at 48055 Grapefruit Blvd. in the C-G (General Commercial) zone. GSC & Son Corporation (Applicant)

INFORMATIONAL:

5. Director Updates

ADJOURNMENT:

Complete Agenda Packets are available for public inspection at the City Clerk’s Office at 53-462 Enterprise Way, Coachella, California, and on the City’s website www.coachella.org.

THIS MEETING IS ACCESSIBLE TO PERSONS WITH DISABILITIES



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AGENDA

DE UNA REUNIÓN DE LA

COMISIÓN DE PLANIFICACIÓN
PLANNING COMMISSION

18 de Septiembre, 2024
6:00 PM

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

O one tap mobile:

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O teléfono:

Us: +1 669 900 6833

ID del webinar: 845 4425 7915

Código de acceso: 380084

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

En vivo:

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

Por escrito:

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

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

LLAMADO AL ORDEN:

JURAMENTO A LA BANDERA:

PASE DE LISTA:

APROBACIÓN DE LA

AGENDA:

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

APROBACION DE LAS ACTAS:

1. Borrador de las Actas de la Comisión de Planificación - 4 de Septiembre 2024.

COMUNICACIONES ESCRITAS:

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

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

INFORMES Y SOLICITUDES:

PUNTOS QUE NO SON DE AUDIENCIA:

2. Actualización del Estatus de las Instalaciones de Telecomunicaciones Inalámbricas de Coachella
3. Tercera Solicitud de Extensión de Tiempo de 1 Año para TTM Núm. 37088 (Ravella) para permitir una subdivisión residencial unifamiliar de 115 unidades en un total de 20 acres de terreno baldío en la zona RS-PD (Comercial Turístico - Desarrollo de Unidades Planificadas) ubicada en la esquina noroeste de Avenue 50 y Calhoun Street.

CALENDARIO DE AUDIENCIAS PÚBLICAS (CUASI-JUDICIAL):

4. AMPM - Tipo 21 Venta de Alcohol Permiso de Uso Condicional No. 364 modificación para permitir la venta de licor (Licencia ABC Tipo 21, Venta Fuera de General) en la tienda de conveniencia "AMPM" en un edificio comercial existente localizado en 48055 Grapefruit Blvd. GSC & Son Corporation (Solicitante)

INFORMATIVO:

5. Actualizaciones del director

SE SUSPENDE LA SESIÓN:

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

ESTA REUNIÓN ES ACCESIBLE PARA PERSONAS CON DISCAPACIDAD



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MINUTES

OF A REGULAR MEETING
OF THE
CITY OF COACHELLA
PLANNING COMMISSION

September 4, 2024
6:00 PM

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

CALL TO ORDER: 6:01 PM

PLEDGE OF ALLEGIANCE:

Vice Chair Gonzalez.

ROLL CALL:

Commissioners Present: Chair Hernandez, Commissioner Murillo, Commissioner Ramirez, Alternate Commissioner Fonseca, Vice Chair Gonzalez.

Commissioners Absent: Commissioner Arvizu.

Staff Present: *Gabriel Perez, Development Services Director.
*Adrian Moreno, Associate Planner.
*Anahi Fernandez, Management Analyst
*Andrew Simmons, City Engineer
*Rene Rosales, Code Enforcement Manager
*Jason Stevens, Information Technology Manager.

APPROVAL OF AGENDA:

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

IT WAS MOVED BY COMMISSIONER RAMIREZ AND SECONDED BY COMMISSIONER MURILLO TO APPROVE THE AGENDA AND MOVE ITEM SEVEN (7) AFTER ITEM FOUR (4).

Approved by the following roll call vote:

AYES: Chair Hernandez, Commissioner Murillo, Commissioner Ramirez, Alternate Commissioner Fonseca, Vice Chair Gonzalez.

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner Arvizu.

APPROVAL OF THE MINUTES:

1. Planning Commission Meeting Minutes June 5, 2024
2. Planning Commission Meeting Minutes July 3, 2024
3. Planning Commission Meeting Minutes July 17, 2024

IT WAS MOVED BY COMMISSIONER RAMIREZ AND SECONDED BY ALTERNATE COMMISSIONER FONSECA TO COMBINE AND APROVE THE MEETING MINUTES TOGETHER.

WRITTEN COMMUNICATIONS:

None.

PUBLIC COMMENTS (NON-AGENDA ITEMS):

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

REPORTS AND REQUESTS:

None.

NON-HEARING ITEMS:

4. Library Annex Conceptual Design for the construction of the Coachella Library Annex building at 1538 7th Street. Applicant: City of Coachella.

Adrian Moreno, Associate Planner, gave a brief presentation for the item. A copy of the presentation is on file in the Planning Division.

CHAIR HERNANDEZ, VICE CHAIR GONZALEZ, AND ALTERNATE COMMISSIONER FONSECA EXPRESSED PREFERENCE FOR ARCHITECTURAL ELEVATION OPTION ONE (1), COMMISSIONER MURILLO EXPRESSED PREFERENCE FOR ARCHITECTURAL ELEVATION OPTION THREE (3), COMMISSIONER RAMIREZ EXPRESSED PREFERENCE FOR OPTION THREE (3), BUT CAN GO WITH OPTION ONE (1) FOR COST SAVINGS.

PUBLIC HEARING CALENDAR (QUASI-JUDICIAL):

5. VMP Night Club & Event Center – Alcohol Sales and Entertainment Establishment Permit
Entertainment Permit No. 24-01 and Conditional Use Permit No. 380 for a nightclub and special event center to allow for live events and a Type 48 ABC license to allow the on-sale of beer, wine, and distilled spirits at the 5,867 SF commercial suite at 49974 Cesar Chavez Street. Applicant: Reyes Hernandez

Adrian Moreno, Associate Planner, gave a brief presentation for the item. A copy of the presentation is on file in the Planning Division.

Public Hearing Opened at 6:55 pm by Chair Hernandez.

Public Hearing Closed at 6:58 pm by Chair Hernandez.

IT WAS MOVED BY CHAIR HERNANDEZ AND SECONDED BY COMMISSIONER RAMIREZ TO APPROVE ENTERTAINMENT PERMIT NO. 24-01 AND CONDITIONAL USE PERMIT NO. 380 FOR A NIGHTCLUB AND SPECIAL EVENT CENTER TO ALLOW FOR LIVE EVENTS AND A TYPE 48 ABC LICENSE TO ALLOW THE ON-SALE OF BEER, WINE, AND DISTILLED SPIRITS AT THE 5,867 SF COMMERCIAL SUITE AT 49974 CESAR CHAVEZ STREET WITH THE FOLLOWING MODIFICATIONS:

- ADD CONDITION OF APPROVAL OF PRESSURE WASHING TWICE A MONTH.
- ADD CONDITION OF APPROVAL TO REVISIT PARKING LIGHTING PLAN DURING THE ANNUAL RENEWAL OF THE ENTERTAINMENT PERMIT.

Approved by the following roll call vote:

AYES: Commissioner Ramirez, Commissioner Murillo, Chair Hernandez, Alternate Commissioner Fonseca, Vice Chair Gonzalez.

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner Arvizu.

6. Architecture Review No. 19-01 (Modification) Oraway is a request to modify the landscape plan and conditions of approval for an approved project by Oraway Engineering for a 825 sq. ft. office building, 7,500 sq. ft. pre-

fabricated warehouse building, and two shade structures totaling 16,500 square feet for storage of construction vehicles and equipment, plus incidental outdoor storage, on a vacant, 2.89 acre lot in the M-H (Heavy Industrial) zone located at 54-101 Enterprise Way (APN 763-280-015).

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

Public Hearing Opened at 7:30 pm by Chair Hernandez.

Armando Bravo, Applicant, spoke and provided comments.

Public Hearing Closed at 7:30 pm by Chair Hernandez.

IT WAS MOVED BY VICE CHAIR GONZALEZ AND SECONDED BY COMMISSIONER RAMIREZ TO APPROVE ARCHITECTURAL REVIEW NO. 19-01 (MODIFICATION) TO MODIFY THE LANDSCAPE PLAN AND CONDITIONS OF APPROVAL FOR AN APPROVED PROJECT BY ORAWAY ENGINEERING FOR A 825 SQ. FT. OFFICE BUILDING, 7,500 SQ. FT. PREFABRICATED WAREHOUSE BUILDING, AND TWO SHADE STRUCTURES TOTALING 16,500 SQ. FT. FOR STORAGE OF CONSTRUCTION VEHICLES AND EQUIPMENT, PLUS INCIDENTAL OUTDOOR STORAGE ON VACANT 2.89 ACRE LOT IN THE M-H (HEAVY INDUSTRIAL) ZONE LOCATED AT 54-101 ENTERPRISE WAY (APN 763-280-015).

Approved by the following roll call vote:

AYES: Commissioner Ramirez, Commissioner Murillo, Chair Hernandez, Alternate Commissioner Fonseca, Vice Chair Gonzalez.

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner Arvizu.

7. Coachella Valley Growers – CUP 345 (Modification) The proposed CUP 345 (Modification) is to modify condition of approval No. 23 to amend responsibilities of street improvements for Fillmore Street for the Coachella Valley Growers project located on 79.39 acres at 50-501 Fillmore Street.

Anahi Fernandez, Management Analyst, gave a brief presentation for the item. A copy of the presentation is on file in the Planning Division.

Public Hearing Opened at 6:30 pm by Chair Hernandez.

Oracio Gonzalez with Coachella Valley Growers, spoke and provided comments.

Public Hearing Closed at 6:33 pm by Chair Hernandez.

IT WAS MOVED BY ALTERNATE COMMISSIONER FONSECA AND SECONDED BY VICE CHAIR GONZALEZ TO APPROVE CONDITIONAL USE PERMIT NO. 345 MODIFICATION TO MODIFY CONDITION OF APPROVAL NO. 23 TO AMEND RESPONSIBILITIES OF STREET IMPROVEMENTS FOR FILLMORE STREET FOR THE COACHELLA VALLEY GROWERS PROJECT LOCATED ON 79.39 ACRES ON 50-501 FILLMORE STREET.

Approved by the following roll call vote:

AYES: Commissioner Ramirez, Commissioner Murillo, Chair Hernandez, Alternate Commissioner Fonseca, Vice Chair Gonzalez.

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner Arvizu.

- 8. Zoning Ordinance Amendment No. 22-09 – Phase 1 Streamline Code Amendments to amend Coachella Municipal Code Title 17 regarding zoning district permitted uses, development standards and development review process in the City. City-Initiated.

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

Public Hearing Opened at 8:01 pm by Chair Hernandez.

Public Hearing Closed at 8:01 pm by Chair Hernandez.

IT WAS MOVED BY CHAIR HERNANDEZ AND SECONDED BY COMMISSIONER RAMIREZ TO APPROVE ZONING ORDINANCE AMENDMENT NO. 22-09 RECOMMENDING TO THE CITY COUNCIL AMENDMENTS TO COACHELLA MUNICIPAL CODE TITLE 17, ZONING, FOR CHAPTER 17.12 RESIDENTIAL ESTATE DISTRICT ONLY AND HOLD A STUDY SESSION FOR ALL OTHER CODE AMENDMENTS PRESENTED WITH ZOA NO. 22-09.

Approved by the following roll call vote:

AYES: Commissioner Ramirez, Commissioner Murillo, Chair Hernandez, Alternate Commissioner Fonseca, Vice Chair Gonzalez.

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner Arvizu.

INFORMATIONAL:

Development Director’s Updates:

- The next Planning Commission meeting will include one item on the agenda.

Respectfully Submitted by,

Gabriel Perez
 Planning Commission Secretary

ADJOURNMENT: 8:05 PM

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

THIS MEETING IS ACCESSIBLE TO PERSONS WITH DISABILITIES



STAFF REPORT
9/18/2024

TO: Planning Commission Chair and Commissioners
FROM: Anahi Fernandez, Management Analyst
SUBJECT: Coachella Wireless Telecommunication Facilities Status Update

Staff Recommendation:

Staff recommends that the Planning Commission receive and file the Coachella wireless telecommunication facilities compliance update and provide staff direction.

Background:

On June 5, 2024, the Planning Commission received a status report of the eleven (11) operational wireless telecommunication facilities in the City of Coachella. During the July report, four (4) wireless telecommunication facilities were out of compliance with their CUP conditions of approval.

The Planning Commission allowed the out of compliance sites 60 days to get into compliance.

Discussion/Analysis:

On September 5, 2024, staff conducted a subsequent visual survey of the wireless telecommunication facilities in the City of Coachella and reviewed the condition of the facilities for compliance with their CUP conditions of approval. A total of three (3) were observed to be out of compliance.

The three (3) wireless facilities need to address the following issues:

- Proper landscaping to mitigate the visual effects of the wireless towers.
- General cleanup and maintenance.

Since the last status report to the Planning Commission on June 5, 2024, two (2) wireless facilities have remained out of compliance with their CUP conditions of approval (CUP 192 and CUP 317). CUP 192 has not completed the required landscaping throughout the public right-of-way and project area. For this facility, American Tower submitted a landscape plan to the Planning Division. The landscape plan is currently being reviewed. CUP 317 needs to address general cleanup of trash, debris, and litter around the lease area.

One (1) additional wireless facilities was found out of compliance during the most recent visual survey. The mono-palm wireless facility in Bagdouma Park (CUP 292) needs to replace a dead palm tree that was installed as part of a condition of approval. The irrigation on the site has been addressed, but the dead palm tree has not been replaced.

Staff continues to work with American Tower to bring the wireless facility on Dillon Road (CUP 192) into compliance. Verizon Wireless is responsible for the other two facilities that are out of compliance (CUP 317 and CUP 292). Staff has contacted the provider. The provider has not been responsive.

The Planning Commission at that time could elect to pursue its revocation procedures of existing Conditional Use Permits for wireless telecommunications facilities that remain out of compliance. A summary of the compliance update for each wireless telecommunication facility is provided in the table below as well as a detailed table in Attachment 2.

Attachments:

1. Detailed Status of Coachella Wireless Telecommunication Facilities
2. Map of Coachella Wireless Telecommunication Facilities

Coachella Wireless Telecommunication Facilities Compliance Update			
Conditional Use Permit No.	Address	Previous Condition	Existing Condition
CUP 179	86-045 Avenue 52	In Compliance	In Compliance
CUP 182	86-275 Avenue 50	In Compliance	In Compliance
CUP 184	49-600 Oates Lane	Landscaping is required around the perimeter of the lease. Not in compliance.	In Compliance
CUP 192	45-800 Dillon Road	Landscaping is required. Not in compliance.	Landscape plans have been submitted to Planning Division. Not in compliance.
CUP 240	51-335 Harrison Street (Plaza Tonalá)	In Compliance	In Compliance
CUP 243	49-251 Harrison Street	In Compliance	In Compliance
CUP 292	51-711 Douma Street	In Compliance	Dead palm tree needs to be addressed. Not in Compliance.
CUP 301	51-711 Douma Street	In Compliance	In Compliance
CUP 302	Jackson Square	Damage repair and clean up required. Not in compliance.	In Compliance
CUP 317	Jackson Square	Trash, debris, and litter cleanup is required. Not in compliance.	Trash, debris, and litter cleanup is required. Not in compliance.
CUP 309	86-351 Avenue 52	In Compliance	In Compliance

Site 3



Planning Case no: CUP 184

Approval date: September 06, 2000

Location: 49-600 Oates Lane

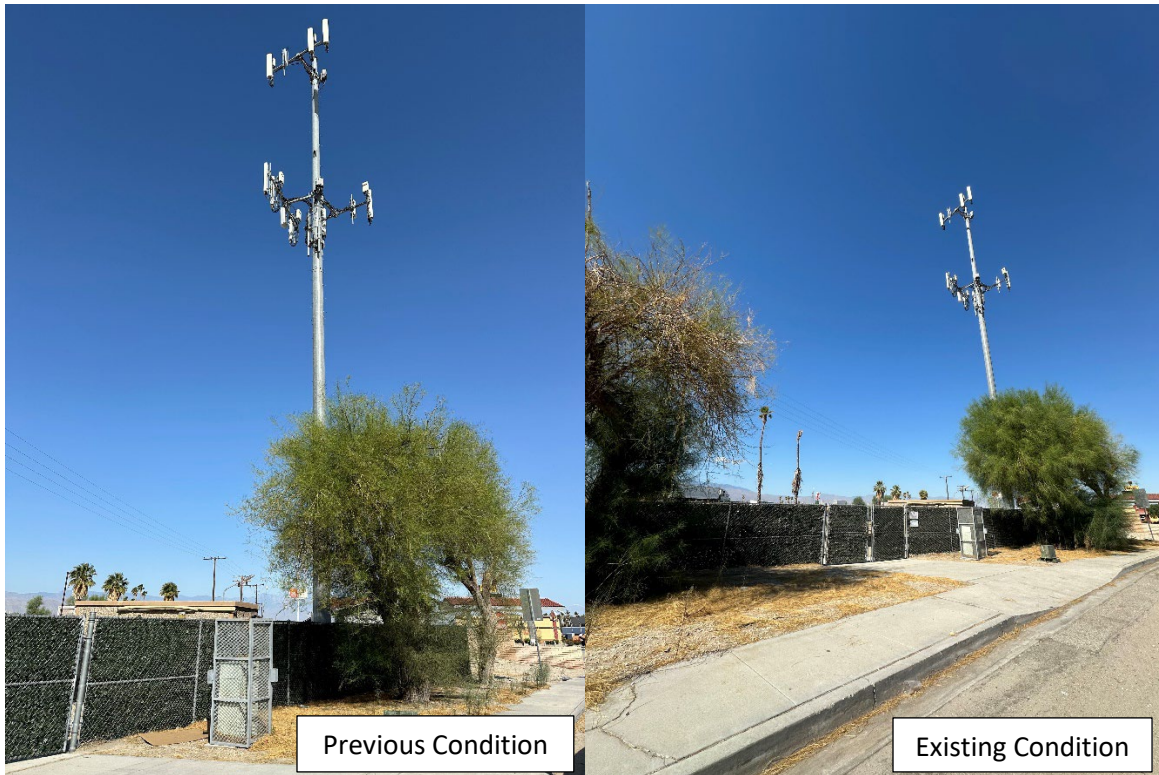
Type: Tower

Facility Height: 150'

Status: Condition 15 of amendment to CUP 184 requires landscaping to be planted and maintained around the perimeter of the lease. Landscaping and proper irrigation have been added to the site. **In Compliance.**

Provider: American Tower

Site 4



Planning Case no: CUP 192

Approval date: July 17, 2002

Location: 45-800 Dillon Road

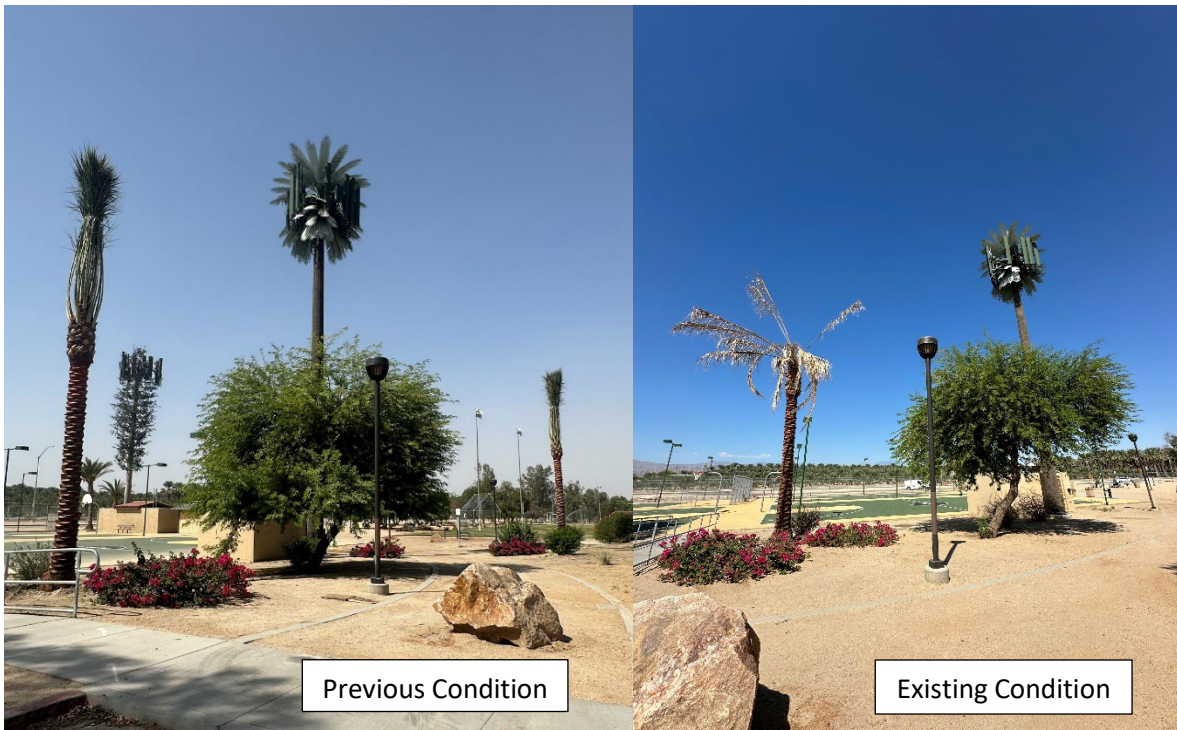
Type: Tower

Facility Height: 110'

Status: Condition 10 of CUP requires landscaping throughout the public right-of-way and project area. No landscaping was observed. **Not in Compliance.**

Provider: American Tower

Site 7



Planning Case no: CUP 292

Approval date: January 31, 2018

Location: 51-711 Douma Street

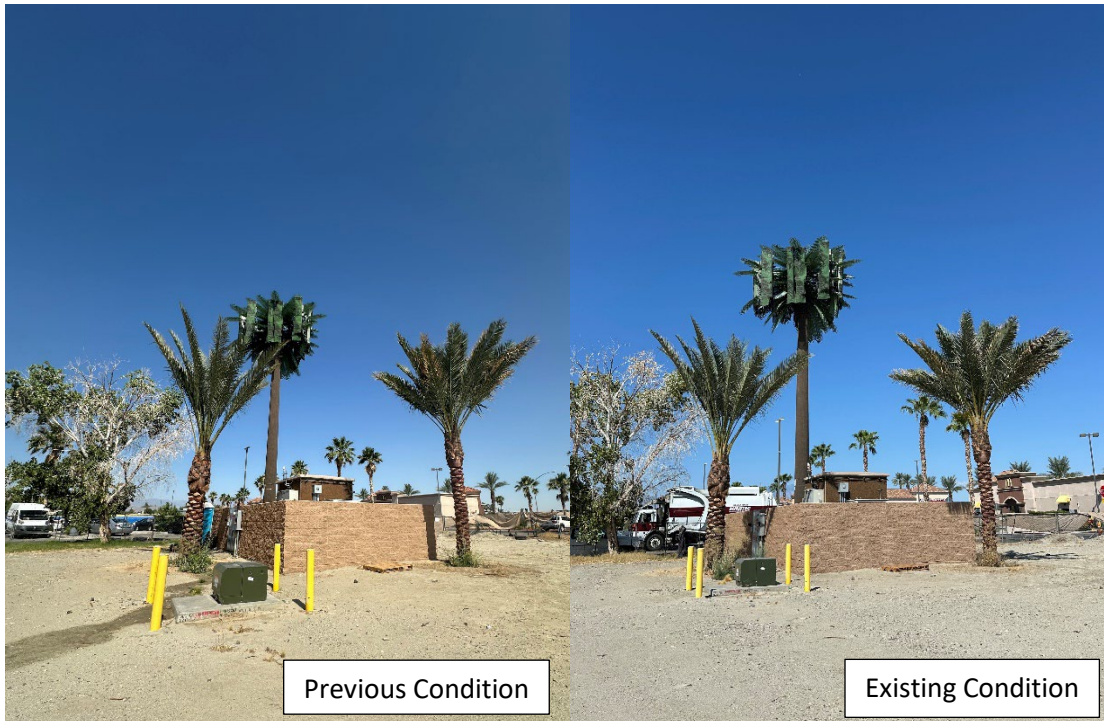
Type: Monopalm

Facility Height: 70'

Status: Two date palm trees of a minimum 20' to 30' were required to be planted near monopalm wireless tower. One palm tree needs to be replaced. **Not in Compliance.**

Provider: Verizon Wireless

Site 9



Planning Case no: CUP 302

Approval date: September 19, 2018

Location: Jackson Square (Located on the southeast corner of 48 and Jackson Street)

Type: Monopalm

Facility Height: 50'

Status: Site is clean and well maintained. **In compliance.**

Last Known Provider: AT&T

Site 10



Planning Case no: CUP 317

Approval date: March 18, 2020

Location: Jackson Square (located on the southeast corner of Avenue 48 and Jackson Street)

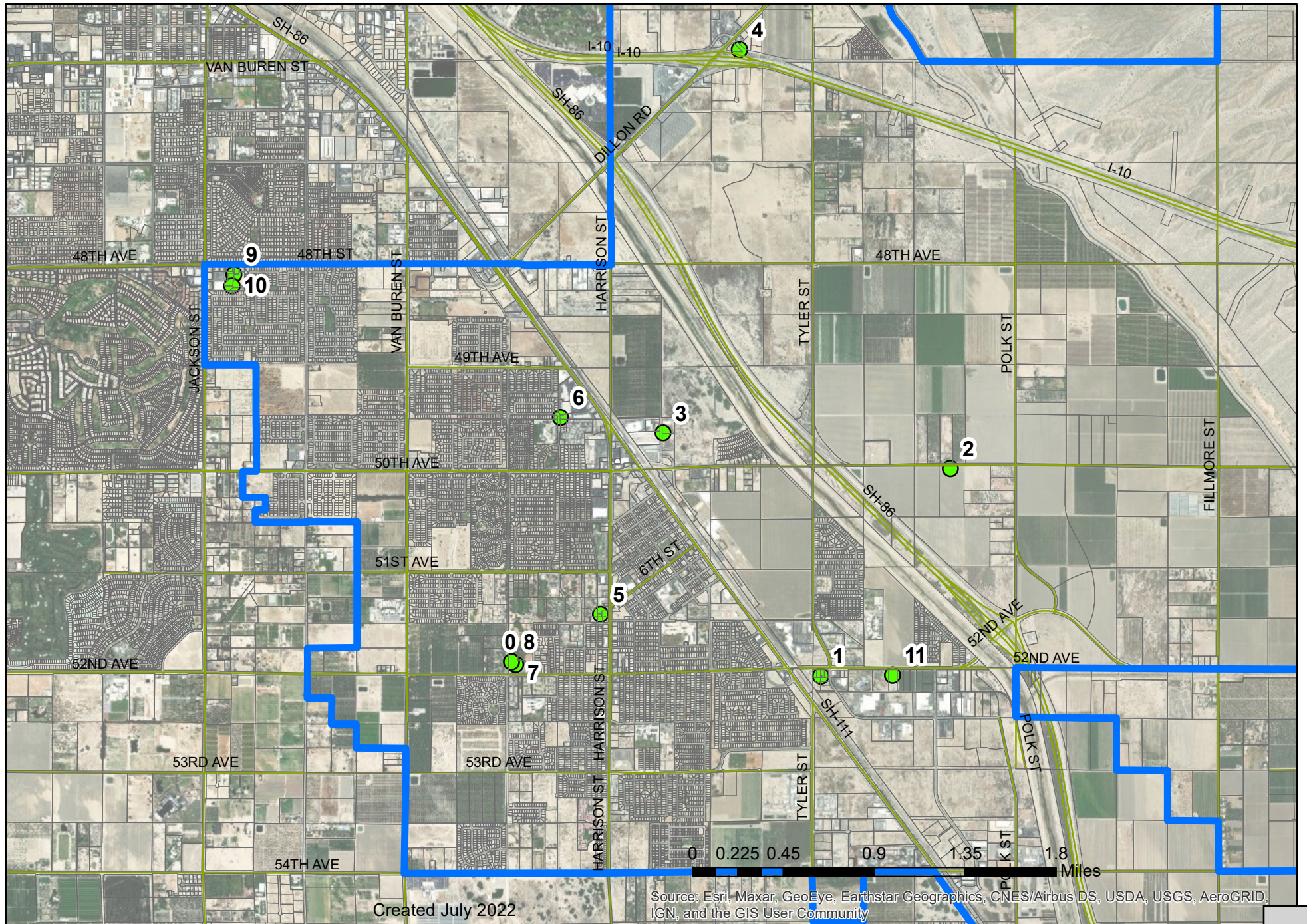
Type: Monopalm

Facility Height: 50'

Status: Two date palm trees were required to be installed at a minimum height of 20' to 30' adjacent to monopalm tower. Two date palm trees were observed. Facility requires cleanup of trash, debris, and litter. **Not in compliance.**

Last Known Provider: Verizon Wireless

Map of Coachella Wireless Telecommunications Facilities 2024





STAFF REPORT
9/18/2024

TO: Planning Commission Chair and Commissioners

FROM: Gabriel Perez, Development Services Director

SUBJECT: Request for a third 12-Month Time Extension for Tentative Tract Map No. 37088 (Ravella) to allow a 115 unit single family residential subdivision on a total of 20 acres of vacant land in the CN-PD (Neighborhood Commercial – Planned Unit Development) zone located at the northwest corner of Avenue 50 and Calhoun Street.

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission adopt Resolution No. PC2024-22 granting the third 12-Month Time Extension eligible for Tentative Tract Map No. 37088 with the findings and conditions of Resolution No. PC2024-22, and establishing a new expiration date of January 13, 2026.

BACKGROUND:

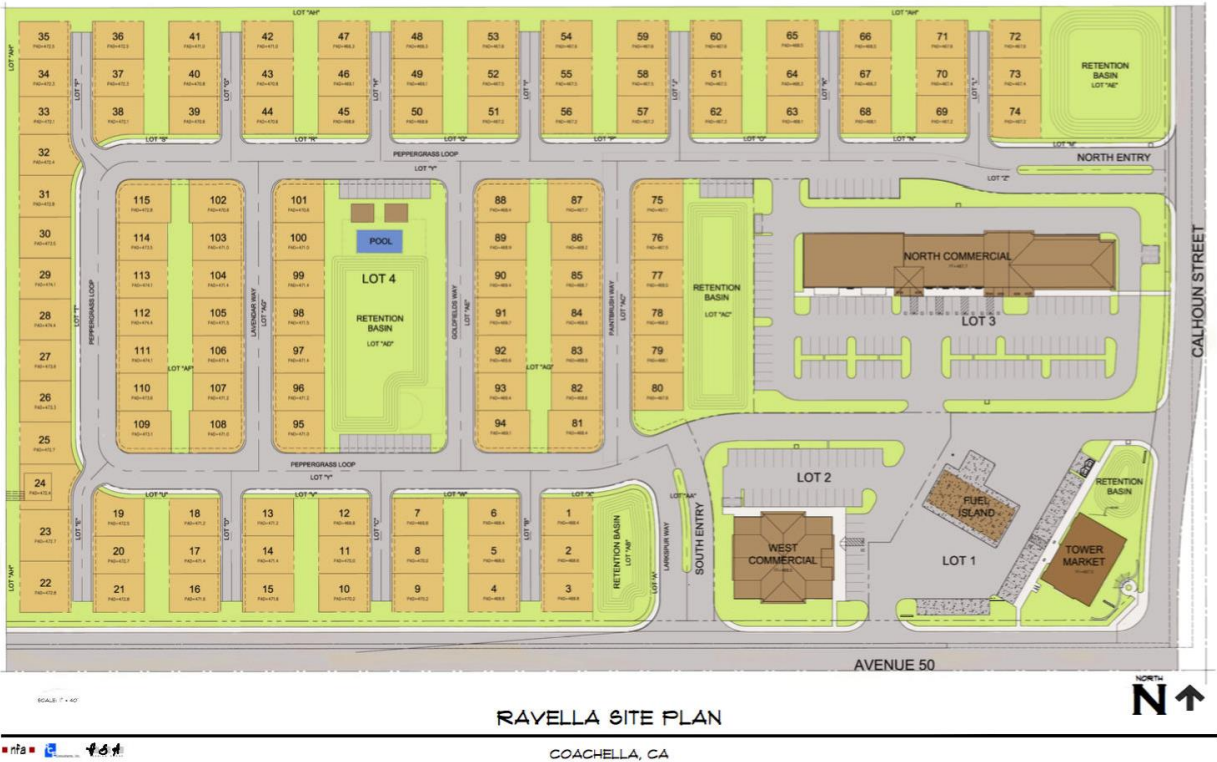
The City Council approved Tentative Tract Map No. 37088 on July 13, 2016. The Planning Commission recommended to the City Council, adoption of a Mitigated Negative Declaration and Mitigation Monitoring Program, pursuant to CEQA Guidelines for the project, as well approval of Tentative Tract Map No. 37088 and Change of Zone 16-01 for a planned unit development as part of the overall proposed development of the Ravella project consisting of 115 single family residential lots on 20 acres at the Northwest corner of Avenue 50 and Calhoun Street.

Pursuant to the Subdivision Map Act, and Title 16 of the Coachella Municipal Code, a tentative tract map expires after 24 months unless the final map is recorded. The Planning Commission may grant up to three 12-month time extensions if a timely request is submitted stating the reasons for the project delays. The TTM 37088 was automatically extended by 36 months to July 13, 2021 from the original July 13, 2018 expiration under the Subdivision Map act due to the filing of the first final map recording the first 4 lots. Due to Assembly Bill 1561, the project was automatically extended by the California Legislature 18 months from the original expiration of July 13, 2018 to January 13, 2023. The applicant received approval from the Planning Commission on September 6, 2023 for the first 12-month extension of time to January 13, 2024. The second 12-month time extension was approved November 15, 2023. The applicant has requested a third time extension to January 13, 2026 and if approved would be the last eligible one-year time extension.

DISCUSSION/ANALYSIS:

As illustrated below, TTM 37088 proposes to subdivide approximately 20 acres into 115 single family residential lots with a minimum lot size of 2,373 sq. ft. and a maximum lot size of 3,789 sq. ft. Access to the residential project will consist of a private road system with one driveway on Avenue 50 and one driveway on Calhoun Street. All of the homes either front or back up to a passive open space area. The project will have private streets but will not be a gated community. The entire Ravella site currently consists of 4 lots for the project's 4 phases. Phase 1 includes the Tower Market service station at the corner of Avenue 50 and Calhoun Street. Phase 2 includes a proposed 20,000 square foot building for Borrego Health Clinic while Phase 3 includes a 9,350 square foot commercial building adjacent to Avenue 50, which remains vacant. Phase 4 includes the proposed 115 residential homes.

Figure 1: Project Phasing Map



The residential component includes 3 retention basins, one of which includes a pool and shade structure and sport court.

Residential Layout/Architectural Theming

The proposed project utilizes a “green court” concept where the homes face a common open space area. In this project, the homes are provided access off common private alleys as illustrated on the exhibit below. These homes are situated on very small lots (2,300 square feet minimum) and will have very minimal yard space. The minimum front, site and rear yard setbacks will be 5 feet. The patio covers will be allowed to have supporting columns at 3.5 feet from the property lines, provided the eave is no less than 36 inches from the property line. The PD ordinance encourages clustered housing in exchange for general open space lots and amenities throughout the community, as proposed for this project. Fencing for the individual homes will be subject to HOA approval and

subject to a separate building permit. All garden walls must be decorative masonry with decorative cap. However, the applicant has indicated they would like to allow vinyl fencing for the property lines between two homes.

Figure 2: Residential Cluster Example



One floor plan and elevation is proposed. Each home contains 4 bedrooms and 3 baths as illustrated below and complies with the base district minimum dwelling unit size of 1,200 square feet. The two-car garage has an interior enclosure for trash bins, and the front entry porch has an area designated for the A/C mechanical equipment in order to keep the side yards clear of obstructions. Additionally, staff is recommending the use of “decorative” garage doors, with windows on the upper 25% of the garage door.

Figure 3: Sample Architecture



Landscaping:

The conceptual landscaping plan is illustrated below. Final landscaping plans will be submitted and approved prior to the issuance of grading/building permits for the project phase in consideration.

Figure 4: Landscape Plan



Staff recommends that the Planning Commission approve Resolution No. PC2024-22 for a third 12-month time extension for Tentative Tract Map No. 37088, subject to the findings and conditions of approval establishing a new expiration date of January 13, 2026.

Attachments:

1. Resolution No. PC2024-22 Approving a 12-month extension of time for TTM No. 37088
2. TTM No. 37088 Exhibit
3. City Council Resolution No. 2016-27 (EA 16-02 Mitigated Negative Declaration)
4. City Council Resolution No. 2016-28 (TTM No. 37088)

RESOLUTION NO. PC2024-22

A RESOLUTION OF THE CITY OF COACHELLA PLANNING COMMISSION APPROVING A THIRD 12-MONTH EXTENSION OF TIME FOR TENTATIVE TRACT MAP NO. 37088 TO JANUARY 13, 2026 FOR THE PHASED SUBDIVISION OF APPROXIMATELY 20 ACRES (TOWER ENERGY) INTO THREE COMMERCIAL LOTS AND A REMAINDER LOT FOR FUTURE SUBDIVISION INTO 115 LOTS, LOCATED AT THE NORTHWEST CORNER OF AVENUE 50 AND CALHOUN STREET. TOWER ENERGY, APPLICANT.

WHEREAS Tower Energy Group filed an application for a third 12-month time extension for Tentative Tract Map No. 37088 for a subdivision of 20 acres into 115 single family residential lots at the northwest corner of Avenue 50 and Calhoun Street at 86100 Avenue 54; and,

WHEREAS, the City has processed said application pursuant to the Subdivision Map Act (commencing with Section 64410, Title 7 of the Government Code), the City’s Subdivision Ordinance, and the California Environmental Quality Act of 1970) as amended; and

WHEREAS, the City Council approved Tentative Tract Map at a public hearing on July 13, 2016 with findings and conditions; and

WHEREAS, Tentative Tract Map No. 37088 is in conformance with the Coachella Municipal Code, the land use pattern and development standards of Tower Energy Project and the Subdivision Ordinance when viewed in conjunction with the conditions that are imposed; and

WHEREAS, the Planning Commission of the City of Coachella finds that this subdivision is consistent with the goals, objectives, policies and implementation measures of the Coachella General Plan 2035 meets the findings required by the Municipal Code;

WHEREAS, the proposed project is Tentative Tract Map 37088 is within the scope of the project analyzed in the Mitigated Negative Declaration and Initial Study Prepared for the Tower Energy Projects (Environmental Assessment 16-02), and the Commission hereby finds adequacy in the environmental assessment documents including the Mitigation Monitoring Program.

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

Section 1. Incorporation of Recitals

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

Section 2. CEQA Findings

Tentative Tract Map 37088 is within the scope of the project analyzed in the Mitigated Negative

Declaration and Initial Study Prepared for the Tower Energy Projects (Environmental Assessment 16-02), and the Commission hereby finds adequacy in the environmental assessment documents including the Mitigation Monitoring Program.

Section 3. Tentative tract Map No. 37088 Time Extension

With respect to Tentative Tract Map, the Planning Commission can make the findings for the proposed project which include:

1. That the proposed map is consistent with the goals, objectives, policies and implementation measures of the Coachella General Plan 2035. The site is within the City's Neighborhood Center land use designation and abuts Avenue 50 and Calhoun Street. Avenue 50 is designated as a Major Roadway with a bicycle lane and Calhoun Street is designated as a collector with a bicycle lane. The proposed phased subdivision map will allow for three lots as part of the 5-acre commercial development, and a 4th lot for the future subdivision of 115 residential homes with private streets and common area lots consistent with the submitted planned unit development and will promote the City's long-term economic development goals for the larger vicinity.
2. The site is physically suitable for the type of development and the proposed density. The proposed subdivision will provide small lots and generous open-space lots for a planned-unit development of new single-family residential lots, and lots for a 5-acre commercial center. All proposed lots comply with minimum lot area and dimension requirements of the base zoning districts of RM (for the residential community) and CN (for the commercial center). Additionally, the subdivision would have adequate ingress and egress, from Avenue 50 and Calhoun Street, to accommodate the proposed development.
3. The design of the subdivision is not likely to cause substantial environmental damage nor substantially and avoidable injure fish or wildlife or their habitat. There are no sensitive habitats or bodies of water in the immediate vicinity of the site. The initial environmental study prepared for this project did not identify any biological resources on the site or in the vicinity of the project.
4. The design of the subdivision is not likely to cause serious health problems. The proposed subdivision would allow for small single-family residential lots and generous open-space lots to provide a medium density residential development. The proposed retail, service station and office uses are not known to cause serious health concerns as proposed in the neighborhood commercial center.
5. The design of the subdivision will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. The proposed subdivision is located on the northwest corner of Avenue 50 and Calhoun Street. As conditioned there will be independent and shared access into the neighborhood commercial center, and two pointes of access into the residential subdivision. There are no known conflicting existing or future easements and rights-of-way within the project site.
6. The design of the subdivision will provide, to the extent feasible, for future passive or

natural heating or cooling opportunities. The proposed lot configurations allow for east-west orientation of homes, and all future construction will be designed to the latest Building Codes and energy efficient design and construction will be required by the City's Building Department.

7. The Planning Commission, in light of the whole record before it, including but not limited to recommendation of the Development Services Director as provided in the Staff Report dated June 15, 2016 and documents incorporated therein by reference and any other evidence within the record or provided at the public hearing of this matter, hereby finds that Tentative Tract Map 37088 is within the scope of the project analyzed in the Mitigated Negative Declaration and Initial Study Prepared for the Tower Energy Projects (Environmental Assessment 16-02), and the Commission hereby finds adequacy in the environmental assessment documents including the Mitigation Monitoring Program.

Section 4. Planning Commission Approval;

Based on the foregoing recitals and findings above, and the written and oral comments, facts and evidence presented, the City of Coachella Planning Commission approves a third 12-month time extension for Tentative Tract Map No. 37088 to January 13, 2026 subject to the conditions of approval of Council Resolution No. 2016-18 as modified in Resolution No. PC2023-30 and as listed in "Exhibit A" of Resolution No. PC2024-22.

PASSED APPROVED and ADOPTED this 18th day of September 2024.

Jason Hernandez, Chairperson
Coachella Planning Commission

ATTEST:

Gabriel Perez
Planning Commission Secretary

APPROVED AS TO FORM:

Carlos Campos
City Attorney

I HEREBY CERTIFY that the foregoing Resolution No. PC2024-22, was duly adopted at a regular meeting of the Planning Commission of the City of Coachella, California, held on the 18th day of September 2024, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gabriel Perez
Planning Commission Secretary

Exhibit A - Resolution No. PC2024-22
CONDITIONS OF APPROVAL FOR
TENTATIVE TRACT MAP NO. 37088
RAVELLA PROJECT

*Modifications pursuant to Resolution No. PC 2023-30 Time Extension #2 shown in **Bold** text and ~~strikeout~~

Conditions of Approval for Tentative Tract Map No. 37088

Mitigation Measures – Air Quality:

1. As required by SCAQMD for all development projects in the Salton Sea Air Basin that would disturb one-acre or greater, Best Available Control Measures will be incorporated into a PM-10 Dust Control Plan prepared for the project prior to commencement of site grading or other construction activity where soil disturbance or other fugitive dust may be generated. BACMs are listed at the end of the MMRP.

Mitigation Measures – Biological Resources:

2. Prior to any land disturbance, including grading or construction, the applicant shall have a focused biological survey conducted at the project site to determine presence/absence of burrowing owl (*Athene cunicularia*). If the site survey determines the presence of burrowing owl, mitigation in accordance with the California Department of Fish and Wildlife (CDFW) shall be implemented as follows: If burrowing owls are identified as being resident on-site outside the breeding season (February 1 through August 31) they may be relocated to other sites by a permitted biologist (permitted by CDFW), as allowed in the department's *Staff Report on Burrowing Owl Mitigation* (March 2012). If an active burrow is found during the breeding season, the burrow shall be treated as a nest site and temporary fencing shall be installed at a distance of 550 yards from the active burrow to prevent disturbance during grading or construction. This is the maximum buffer distance recommended in the *Staff Report on Burrowing Owl Mitigation*. Installation and removal of the fencing shall be done with a biological monitor present.

Mitigation Measures – Cultural Resources:

3. A qualified archaeological monitor, as well as a Native American monitor shall be present during at least the initial phases of site grading, and shall also inspect any trenches and proposed water quality basins, to ensure that if any buried cultural resources are discovered during construction activities, all work shall be halted in the vicinity of the find. The archaeologist shall determine whether the find is an isolated example or part of a more complex resource. Upon determining the significance of the resource, the consulting archaeologist, in coordination with the City, shall determine the appropriate actions to be taken. The appropriate measures may include as little as recording the resource with the California Archaeological Inventory database or as much as excavation, recording, and preservation of the sites that have outstanding cultural or historic significance.

4. A qualified paleontological monitor shall be present during at least the initial phases of renewed site grading, and shall also inspect all trenches and proposed water quality basins, to ensure that if any paleontological resources are discovered during construction activities, all work shall be halted in the vicinity of the find. The paleontologist shall determine whether the find is an isolated example or part of a more complex resource. Upon determining the significance of the resource, the consulting paleontologist, in coordination with the City, shall determine the appropriate actions to be taken. The appropriate measures may include as little as recording the resource with the San Bernardino County Museum or as much as excavation, recording, and preservation of the sites that have outstanding paleontological significance.
5. Should human remains be uncovered, the Riverside County Coroner's Office shall be immediately contacted and all work halted until final disposition by the Coroner. State Health Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made necessary findings as to the origin and disposition pursuant to Public Resources Code Section 5097.98. Shall the remains be determined to be of Native American descent, the Native American Heritage Commission shall be consulted to determine the appropriate disposition of said remains.
6. If the coroner determines that the remains are not recent and may be Native American, in accordance with Public Resource Code 5097.94, the coroner will notify the Native American Heritage Commission (NAHC) within 24 hours of the find. The NAHC will then determine the Most Likely Descendant (MLD). The City will work with the designated MLD to determine the final disposition of the human remains.

Mitigation Measures – Geology and Soils:

7. Development of the project as proposed shall comply with recommendations for design and construction identified in the following documents: 1) "Geotechnical Investigation Proposed Residential Development Tentative Tract 36680 APN 612-280-018, Coachella California. Prepared by Sladden Engineering, December 31, 2013; 2) Geotechnical Investigation, Proposed Apartment Complex and MiniMart, Prepared by Sladden Engineering, February 12, 2012.

Mitigation Measures – Traffic and Transportation:

8. The applicant shall contribute to the City a fair share contribution for future traffic signals to be installed by the City at the intersection of Avenue 50 and Calhoun Street and at Avenue 50 and Jackson Street. Said contribution may be satisfied through full payment or with a letter of credit prior to the issuance of a building permit, or as otherwise approved by the City Engineer.
9. The applicant shall pay applicable City of Coachella Development Impact Fees (DIF) and County of Riverside Transportation Uniform Mitigation Fees (TUMF) in effect at that time.
10. Five (5) sets of copies of check prints. The applicant shall pay all necessary plan check, permit, and inspection fees. Fees will be determined when plans are submitted to the City Engineering Department for plan check.

11. The applicant shall pay plan check fees. \$750.00 per sheet of improvement plans, and \$350.00 for PM 10 plan.

Engineering – Grading and Drainage:

12. A preliminary geological and soils engineering investigation shall be conducted by a registered soils engineer, and a report submitted for review with the grading plan and shall include pavement recommendations (on-site & off-site). The report recommendations shall be incorporated into the grading plan design prior to grading plan approval. The soils engineer and/or the engineering geologist shall certify to the adequacy of the grading plan. Paving for public and private streets shall be constructed per City Standard unless more stringent standards are recommended by the geotechnical investigation.
13. A precise grading plan, prepared by a California Registered Civil Engineer, shall be submitted for review and approval by the City Engineer prior to issuance of any permits. A final soils report, compaction report and rough grading certificate shall be submitted and approved prior to issuance of any building permits.
14. A Drainage Report, prepared by California Registered Civil Engineer, shall be submitted for review and approval by the City Engineer prior to issuance of any permits. The report shall contain a Hydrology Map showing on-site and off-site tributary drainage areas and shall be prepared in accordance with the requirements of the Riverside County Flood Control District. Adequate provisions shall be made to accept and conduct the existing tributary drainage flows around or through the site in a manner which will not adversely affect adjacent or downstream properties. If the design of the project includes a retention basin, it shall be sized to contain the runoff resulting from a 10-year storm event and the runoff from a 100-year storm event shall be contained within basin with shallow ponding (3.5' max.). The basin shall be designed to evacuate a 10-year storm event within 72 hours. The size of the retention basin(s) shall be determined by the hydrology report and be approved by the City Engineer. Retention basin shall be provided with a minimum of 2.00 feet sandy soil if determined to contain silt or clay materials. Maximum allowable percolation rate for design shall be 10 gal./s.f./day unless otherwise approved by the City Engineer. A percolation test for this site is required to be submitted. A combination drywell vertical drain field shall be constructed at all points where runoff enters the retention basin. Drywell & vertical drain field design shall be constructed at all points where runoff enters the retention basin. Drywell & vertical drain field design shall be based on soils borings made at the proposed drywell locations after the retention basins have been rough graded. Minimum depth shall be as required by the approved geotechnical investigation recommendations. A log that includes sieve analysis for each strata of the borings, shall be submitted to the City Engineer for confirmation of depth of the vertical drain fields.
15. Site access improvements shall be in conformance with the requirements of Title 24 of the California Administrative Code. This shall include access ramps for off-site and on-site streets as required.
16. Applicant shall obtain approval of site access and circulation from Fire Marshall.

17. Separate permits shall be required for all perimeter walls for the residential project. The maximum height of any wall shall be limited to six (6) feet as measured from the higher elevation of grade on either side.

Engineering – Street Improvements:

18. Street improvement plans prepared by a California Registered Civil Engineer shall be submitted for engineering plan check prior to issuance of encroachment permits. All street improvements including street lights shall be designed and constructed in conformance with City Standards and Specifications. Street flow line grade shall have a minimum slope of 0.35 percent.
19. Applicant shall construct all off-site and on-site improvements including street pavement, curb, gutter, sidewalk, street trees, perimeter walls, perimeter landscaping and irrigation, storm drain, street lights, and any other incidental works necessary to complete the improvements. Driveways shall conform to City of Coachella standard for commercial driveways with a minimum width of 24.00 feet and curbed radius entrances. New sidewalks shall be installed on the existing site along Avenue 50 and Calhoun Street. **The Avenue 50 sidewalk shall be installed from the main project entry driveway westward with a minimum 5-foot landscape parkway.**
20. An additional dedication of land will be required along the north half of Avenue 50 and the west half of Calhoun Street as shown on the 2035 City of Coachella General Plan. Calhoun Street will be constructed as a 88 foot “Collector Street with Enhanced Bicycle Facility”. Avenue 50 will be constructed as a 118 foot “Major Arterial Street with Enhanced Bicycle Facility” with landscaped median, as approved by the City Engineer.
21. Applicant shall contribute its fair share contribution for the cost of future traffic signals to be installed by the City at the intersection of Avenue 50 and Calhoun Street.
22. Applicant shall obtain an encroachment permit for any improvements constructed within public right-of-way including alleys.
23. Sewer and Water service is available to the site. The applicant shall plot location of existing service mains on the existing grading plan.

Engineering – General:

24. Prior to issuance of any encroachment permits by the City of Coachella, the applicant shall resolve CVWD issues related to existing tile drains or irrigation mains located within the project boundary or along the streets adjacent to the property. If necessary tile drains and irrigation lines shall be relocated, and easement document prepared for the new location of any such lines. Plans for the tile drain or irrigation relocation shall be submitted to the City for evaluation regarding possible conflict with City facilities. The applicant shall submit to the City approved copies of any relocation plans.
25. The developer shall submit a Fugitive Dust Control and Erosion Control plan in accordance with Guidelines set forth by CMC and SCAQMD to maintain wind and drainage erosion and dust control for all areas disturbed by grading. Exact method(s) of such control shall be subject to

review and approval by the City Engineer. No sediment is to leave the site. Additional securities in amount of \$2,000 per acre of gross area, and a one-time cash deposit of \$2,000.00 are required to insure compliance with this requirement. No work may be started on or off site unless the PM-10 plan has been approved and the original plans are in the engineering department at the City of Coachella.

26. "As-built" plans shall be submitted to and approved by the City Engineer prior to acceptance of the improvements by the City. All off-site and on-site improvements shall be completed to the satisfaction of the City Engineer prior to acceptance of improvements for maintenance by the City.
27. Applicant shall comply with the valley wide NPDES permit requirements including but not limited to submittal of a preliminary WQMP for plan review accompanied by a \$3,000 plan check deposit and a Final WQMP for final approval including executed maintenance agreement. All unused plan check fees will be refunded to the applicant upon approval of the Final WQMP.
28. Prior to the issuance of a certificate of occupancy, all public improvements, including landscaping and lighting of retention basins, and landscaped areas along the exterior streets, shall be completed to the satisfaction of the City Engineer.
29. An amount of \$9,112.28 shall be paid to the City to reimburse the cost of previously constructed water services under approval of "Reimbursement Agreement with Rilington Canyon LLC" for the extension of Water Main in Avenue 50.

Development Services – Landscaping:

30. Final landscaping and irrigation plans shall be submitted to the Development Services Department for review and approval. Said plans shall conform to the landscaping plan submitted as part of the subject Architectural Review, and as conditioned herein.
31. Prior to the issuance of building permits, the applicant shall submit detailed landscaping and irrigation plans for review and approval by the City's Engineering Department and Development Services Department. **Perimeter landscaping shall include a lighting plan.**
32. Landscaping and irrigation shall be provided in accordance with Section 17.54.010(J) of the Municipal Code and in accordance with the State Model Water Efficient Landscape Ordinance (AB 1881). Water budget calculations, including the Maximum Applied Water Allowance (MAWA) and Estimated Total Water Use (ETWU) shall be provided as part of the landscaping and irrigation plan.
33. The landscape plan shall provide for a minimum 5-gallon groundcover plants, 5-gallon shrubs, and 22-inch box trees. The plants and trees shall be irrigated with an automatic and durable drip irrigation system.
34. Landscaped areas shall be dressed with a minimum 2-inch layer of compacted and/or glue-bonded **of ¾ inch decomposed granite decorative gravel** that cannot be wind driven. A weed barrier underlayment shall be placed under the **decorative gravel decomposed granite**.

35. Plant materials selection should be represented by symbols that show the plants at 75% of their mature size.
36. The applicant shall obtain written clearance from the County Agricultural Commissioner's Office regarding the type of landscaping to be planted. The clearance letter shall be included as a note on the landscape plans. The applicant shall utilize only plants that were listed on the landscape plan submitted to the Commissioner's office. Any substitutions must be approved by both the Commissioner's office as well as the City's Development Services Department.
37. Six-inch concrete bands shall be used as mow strip borders for planting areas where separating turf areas or synthetic turf areas.
38. All landscape planter beds in interior parking areas shall be not less than five (5) feet in width and bordered by a concrete curb not less than six (6) inches nor more than eight (8) inches in height adjacent to the parking surface.
39. All non-landscaped and undeveloped areas of the site shall be kept free of weeds and debris and shall be treated with a dust-preventative ground coating.

Development Services – Project Design:

40. Prior to the issuance of building permits, all exterior architectural features and treatments shall be consistent with the submitted Architectural Review No. 16-05 elevations and color/material board samples and shall be included and noted on all construction plans and elevations, subject to review and approval.
41. All exposed metal flashing, downspouts, or utility cabinets shall be painted to match the building prior to final inspection.
42. Trash enclosures installed for the project shall be compatible architecturally with the building and include storage areas for recycling containers. The enclosure shall be constructed to Burrtec Waste Management Standards. The location of the trash enclosure shall be approved by both Burrtec Waste Management and the City Engineer.
43. All roof mounted mechanical equipment shall be view obscured by a parapet wall greater in height than the equipment installed. Ground mounted mechanical equipment shall be view obscured by landscaping or enclosure.
44. Outdoor storage areas shall be obscured from public view and specifically shall not be visible from Avenue 50 and Calhoun Street.

Riverside County Fire Department:

45. The applicant shall submit building plans for review and approval by the Riverside County Fire Department and pay any applicable fees prior to the issuance of a building permit by the City.

46. A final inspection and clearance of the building shall be required from the Fire Department prior to occupancy of the building.
47. For any buildings with public access, provide or show a water system capable of delivering a fire flow 3250 gallons per minute for 3 hours duration at 20 psi residual operating pressure, which must be available before any combustible material is placed on the construction site. CFC 2013 Edition Section Table B105.1. *50% reduction has been applied for the proposed sprinklered building provision.*
48. For any building with public access, including all having one or two dwelling units of less than 3,600 square feet - provide or show a water system capable of delivering a fire flow of 1,000 gallons per minute for 1 hour duration at 20 psi residual operating pressure. **50% reduction has been applied for the proposed sprinklered building provision*
49. Prior to building plan approval and construction, applicant/developer shall furnish two copies of the water system fire hydrant plans to Fire Department for review and approval. Plans shall be signed by a registered civil engineer, and shall confirm hydrant type, location, spacing, and minimum fire flow. Once plans are signed and approved by the local water authority, the originals shall be presented to the Fire Department for review and approval.
50. Prior to issuance of building permits, the water system for fire protection must be provided as approved by the Fire Department and the local water authority.
51. Blue dot retro-reflectors pavement markers shall be provided on private streets, public streets and driveways to indicated location of the fire hydrant. 06-05 (located at www.rvcfire.org)
52. Fire Apparatus access road shall be in compliance with the Riverside County Fire Department Standard number 06-05 (located at www.rvcfire.org). Access lanes will not have an up, or downgrade of more than 15%. Access lanes will be designed to withstand the weight of 60,000 pounds over 2 axles. Access will have a turning radius capable of accommodating fire apparatus. Access lane shall be constructed with a surface so as to provide all weather driving capabilities.
53. Any turn-around shall require a minimum 38-foot turning radius.
54. All structures shall be accessible from an approved roadway to within 150 feet of all portions of the exterior of the first floor.
55. The minimum dimensions for access roads and gates is 20 feet clear and unobstructed width and a minimum vertical clearance of 13 feet 6 inches in height.
56. Roadways may not exceed 660 feet without secondary access. This access may be restricted to emergency vehicles only however public egress must be unrestricted.
57. The applicant or developer shall prepare and submit to the Fire Department for approval, a site plan designating required fire lanes with appropriate lane printing and/or signs.

Imperial Irrigation District:

58. Any construction or operation on IID property or within its existing and proposed right-of-way or easements will require an encroachment permit, including but not limited to: surface improvements such as proposed new streets, driveways, parking lots, landscape; and all water, sewer, storm water, or any other above ground or underground utilities (e.g. power lines).
59. Any and all mitigation necessary as a result of the construction, relocation and/or upgrade of IID facilities is the responsibility of the project proponent.

Utilities:

60. Water and sewer plans outside the buildings and interior plumbing or mechanical plans (i.e. floor drains and sinks, equipment which discharges to the sewer system, chemical storage and spill containment measures) shall be provided to the City Utilities Department for review and approval.
61. A Source Control "Short Form" (and the Source Control application if required) shall be completed and turned into Source Control (Utilities Department) by the applicant.
62. Based on findings of the Source Control application, all modifications shall be completed prior to issuance of a certificate of occupancy.
63. Adequate fire protection shall be included and the public water supply shall be protected with a DCDA or greater on all fire water lines to commercial/industrial facilities.
64. An RP shall be correctly installed within 12" of all water meters servicing domestic usage, landscape, commercial and/or industrial facilities.
65. All landscaping shall be on a separate water meter with an RP ensuring the establishment is not assessed sewer fees for water used on landscape.
66. All mechanical and plumbing plans shall be submitted to the Utilities Department for review to determine if pretreatment and/or a sample location is required.
67. All facilities and landscape plumbing which have water or wastewater (sewer) services shall obtain approval from the Environmental Compliance (Source Control), Water and Sanitary Sewer Divisions prior to receipt of the Certificate of Occupancy.
68. Fire hydrants must be at the end of each dead end for flushing.
69. RPZ Style Backflow devices shall be installed on commercial and landscape meters.
70. Above ground DCDA backflows must be installed for all fire line services.
71. Master-metered, radio-read water meters shall be utilized for the project.

Fees:

72. Prior to the issuance of a building permit, the applicant shall pay all Development Fees to the City; this also includes school fees and outside agency fees such as sewer water and utilities. Copies of receipts shall be provided to the Development Services Department prior to permit issuance.
73. The applicant shall be responsible for paying all applicable development and processing (plan check, inspection, etc.) fees associated with this project.
74. The applicant shall pay all applicable school impact fees to the Coachella Valley Unified School District prior to the issuance of a building permit.
75. The applicant shall pay all required water connection fees.
76. The applicant shall be required to pay the Multiple Species Habitat Conservation (MSHCP) fees for commercial and residential development prior to issuance of building permits.
77. The applicant shall comply with the City's Art in Public Places Ordinance. If the applicant elects to pay in-lieu art fees, then the fees shall be deposited into the Public Arts Fund at an amount of (1) One-half (1/2) of one percent (1%) for new commercial and industrial construction.
78. The project is subject to payment of all commercial development impact fees whether or not explicitly stated in other conditions of approval or the environmental mitigation measures for the subject project.

Miscellaneous:

79. Installation of sidewalks along Avenue 50 and Calhoun Street may be satisfied by an improvement agreement subject to review and approval by the City Engineer. The 1st phase of development shall include completion of all off-site improvements on Calhoun Street and the service station portion of the commercial frontage on Avenue 50.
80. Final design plans for proposed landscaping and fencing along the project street frontages shall be presented as an administrative item before the Planning Commission for final review and approval.
81. The floor plans for the single family residential dwellings shall incorporate a trash bin storage area within the enclosed garages, and an A/C and mechanical equipment area in the covered porch area in order to avoid obstructions in the side yards.
82. The City Engineer or designee shall review the hydrology plans to mitigate drainage impacts of occasional large-storm rain events.
83. The applicant shall submit a comprehensive Sign Program for review by the Planning Commission through a non-hearing review, prior to the issuance of a certificate of occupancy for the first commercial buildings.

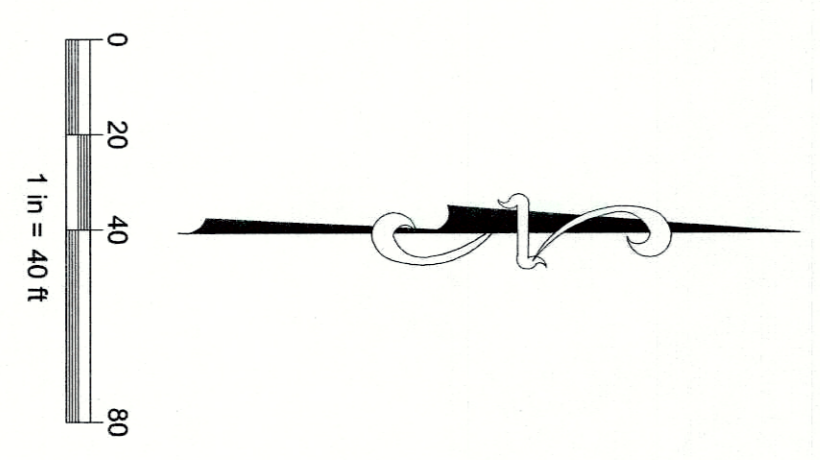
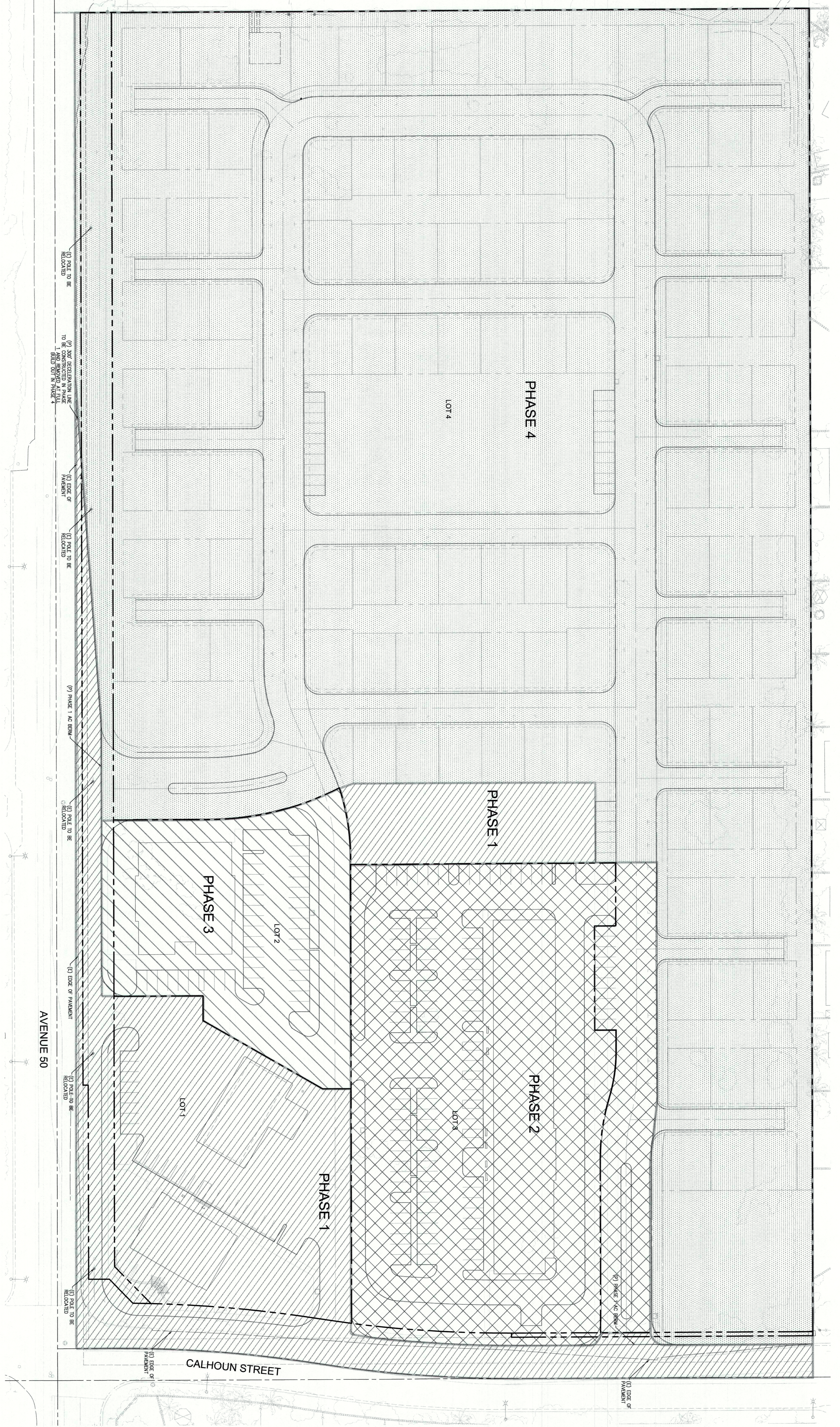
84. The applicant shall submit a photometric lighting plan for review and approval by the Development Services Director prior to the issuance of a building permit for exterior lighting fixtures within the commercial center.
85. The sub-divider or successor in interest shall annex the subject property into City of Coachella Community Facilities District (CFD) 2005-01 for City police, fire and paramedic services, prior to recordation of Tentative Tract Map 37088 and prior to the issuance of any building permits for construction of off-site improvements or residential buildings. The sub-divider shall submit an assessment plat map exhibit prepared by a licensed design professional, along with the petition and ballot, and any other documents necessary to annex the subject property into the City of Coachella CFD 2005-01.
86. Prior to recordation of the final map, the sub-divider or successor in interest shall pay the City of Coachella a Supplemental Water Supply Charge fee, based on the signed Memorandum of Understanding (MOU) between the City of Coachella and CVWD, to ensure sufficient water supplies for the new residential lots created as part of Tentative Tract Map 37088. The amount paid for supplemental water supplies shall not exceed CVWD's Supplemental Water Supply Charge for similar development types and water requirements in effect at the time paid. Alternatively, this condition of approval may be deemed satisfied, prior to recordation of the final map, if the City adopts a standardized development impact fee to collect the Supplemental Water Supply Charge fee collected at the time of issuance of a building permit for new homes, consistent with the MOU between CVWD and the City of Coachella.
87. The developer shall submit a Fugitive Dust Control and Erosion Control plan in accordance with Guidelines set forth by CMC and SCAQMD to maintain wind and drainage erosion and dust control for all areas disturbed by grading. Exact method(s) of such control shall be subject to review and approval by the City Engineer. No sediment is to leave the site. Additional securities, in bond form, in amount of \$2,000.00 per acre of gross area, and a one time cash deposit of \$2,000.00 are required to insure compliance with this requirement. No work may be started on or off site unless the PM-10 plan has been approved, the original plans, and executed dust control agreement, are filed in the engineering department at the City of Coachella.
88. "As-built" plans shall be submitted to and approved by the City Engineer. Prior to acceptance of the improvements by the City, such plans, once approved, shall be given to the city on compact disk in AutoCad format. All off-site and on-site improvements shall be completed to the satisfaction of the City Engineer prior to acceptance of improvements for maintenance by the City.
89. Applicant shall comply with the valley wide NPDES permit requirements including but not limited to submittal of a Preliminary WQMP for plan review accompanied by a \$3,000 plan check deposit and a Final WQMP for final approval including executed maintenance agreement. All unused plan check fees will be refunded to the applicant upon approval of the Final WQMP.
90. Prior to issuance of a Certificate of Occupancy, the applicant shall dedicate artwork for display in common space(s) such as project entryways, perimeter to the development; the specific artwork to be dedicated shall be approved by the City of Coachella Development Services Director prior to installation.

Additional Utilities Conditions as modified by Planning Commission November 15, 2023:

- 91. Submit water and sewer plans to Engineering for approval from Utilities Manager –project required to connect to City public sewer and water system.**
- 92. A deposit of \$5,000 is required to perform a hydraulic analysis to determine impacts of the project, deposit and analysis shall need to be complete before 1st submittal of water and sewer plans.**
- 93. Public infrastructure on site shall require easements before water and sewer plans are approved.**
- 94. Water & Sewer impact fees to be paid prior to final approval of plans.**
- 95. Project to install 4G AMI master meters.**
- 96. Backflows required on all nonresidential meters.**
- 97. Water service line Type K Soft Copper Tubing Polywrap-C Blue (6Mil, use applicable size).**
- 98. Additional requirements subject to water and sewer plan checking process.**
- 99. Water and Sewer plans shall not be combined with grading plans.**
- 100. Don't show new meters on Landscaping plans, show all service connections on water improvement plans.**

Building Division:

- 101. Applicant must submit plans that comply with the 2022 California Building Code. Prior approvals have expired and the plans must adhere to current code requirements.**
- 102. All site amenities must be positioned along an accessible path of travel and improved in a manner accessible for the handicap community per chapter 11B of the California Building Code.**



LEGEND

SYMBOL	DESCRIPTION
	PHASE 1
	PHASE 2
	PHASE 3
	PHASE 4
	PHASE BOUNDARY
	PARCEL LINES

REVISIONS					
DATE NO.	BY	CHECKED BY:	DATE:	SCALE:	FILE NO.
SIGNATURE _____ DATE: 08/30/17 PROJECT NO. _____ TOWER 1H					
24422 Avenida de la Ciudad Laguna Hills, CA 92653 Phone: 949.453.0111					
BASIS OF BEARINGS SENSITIVE LINE OF SIGHT TO THE NORTH BEARING OF 100° 00' 00" IS SHOWN IN MAP OF COACHELLA BOOK 4 PAGES 25-26, THENCE S 31° 30' 00" W					
BENCH MARK CITY OF COACHELLA B.M. 1001 IS ELEVATION 46.27' (MAD 89-100)					
APPROVED BY: _____					
TENTATIVE TRACT MAP NO. 37088 IN THE COUNTY OF RIVERSIDE, CA IN THE CITY OF COACHELLA					
DRAWING NAME: TTM Ravella 02 PM PROJECT NO.: Tower 1H SHEET 2 OF 3					

RESOLUTION NO. 2016-27**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COACHELLA ADOPTING A MITIGATED NEGATIVE DECLARATION (ENVIRONMENTAL ASSESSMENT NO. 16-02) FOR CHANGE OF ZONE NO. 16-01, ARCHITECTURAL REVIEW NO. 16-05, TENTATIVE TRACT MAP NO 37088 AND CUP 267 and CUP 268. TOWER ENERGY (APPLICANT).**

WHEREAS, the proposed project, as set forth in Change of Zone No. 16-01, Architectural Review No. 16-05, Tentative Tract Map No. 37088, CUP 267 and CUP 268 consists of the above referenced applications on 20 acres located at the NW corner of Avenue 50 and Calhoun Street. The project includes a change of zone that will change the existing Residential-Single Family zone to Residential-Medium Planned Development and to Neighborhood Commercial-Planned Development. CUP No. 267 will permit the construction of a gas station/neighborhood market while CUP 268 will permit a residential planned development containing 115 single-family homes. Tentative Tract 37088 proposes a subdivision of the property into 4 lots and furthermore to subdivide lot 4 into 115 residential lots. Architectural Review 16-05 includes two additional commercial buildings on parcels two and three.

The subject site consists of a 20-acre undeveloped parcel of land located at the northwest corner of Avenue 50 and Calhoun Street and is further identified by APN 612-280-018; and

WHEREAS, the City completed Environmental Assessment/Initial Study No. 16-02 for the proposed project pursuant to the California Environmental Quality Act, as amended; and

WHEREAS, based on this Environmental Assessment/Initial Study and proposed mitigation measures therein, the City has made a determination that the project will not have a significant impact on the environment and has prepared a Mitigated Negative Declaration for this project; and

WHEREAS, a Notice of Intent to Adopt a Mitigated Negative Declaration for the subject project was posted with the County Clerk and duly noticed and published in the Desert Sun Newspaper, a local newspaper of general circulation, on Monday, May 16, 2016; and

WHEREAS, the proposed Mitigated Negative Declaration was made available for a 20-day public review period commencing on Monday, May 16, 2016 and ending on Monday, June 6, 2016; and

WHEREAS, interested and concerned individuals and public agencies had the opportunity to review and comment on the proposed Mitigated Negative Declaration; and

WHEREAS, findings of the initial study indicated that the proposed project would not create any impacts to air quality, biological resources, cultural resources, geology and soils, traffic and transportation and noise; and

WHEREAS, the proposed project has been conditioned to include recommended mitigation measures of the environmental analysis as set forth in a Mitigation Monitoring and Reporting Program (Exhibit A); and

WHEREAS, the proposed project would not be detrimental to the general health, safety and welfare of the community.

NOW, THEREFORE, be it resolved that the City Council has considered the Mitigated Negative Declaration prepared for Change of Zone No. 16-01, Architectural Review No. 16-05, Tentative Tract Map No. 37088 and CUP 267 and CUP 268 under Environmental Assessment No. 16-02, attached hereto, and has determined that the project would have no significant deleterious effect on the environment and orders that a Mitigated Negative Declaration be filed pursuant to the California Environmental Quality Act, as amended, for Change of Zone No. 16-01, Architectural Review No. 16-05, Tentative Tract Map No. 37088 and CUP 267 and CUP 268 for property located on the northwest corner of Avenue 50 and Calhoun Street further identified as APN 612-280-018; and

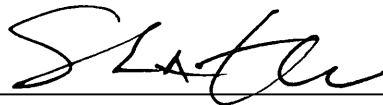
PASSED, APPROVED AND ADOPTED at the regular meeting of the City Council of the City of Coachella this 13th day of July by the following roll call vote:

AYES: Councilmember Bautista, Councilmember Sanchez
Mayor Pro Tem Martinez and Mayor Hernandez

NOES: None

ABSENT: Councilmember Perez


ABSTAIN None


Steven A. Hernandez, Mayor

ATTEST:


Angela M. Zepeda, City Clerk

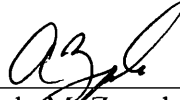
APPROVED AS TO FORM:



Carlos Campos, City Attorney

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss
CITY OF COACHELLA)

I, Angela M. Zepeda, City Clerk of the City of Coachella, do hereby certify that the foregoing is a full, true and correct copy of Resolution No. 2016-27, adopted by the City Council of the City of Coachella at a regular meeting therefore duly held and convened on the 13th day of July 2016.



Angela M. Zepeda, City Clerk

MITIGATION MONITORING AND REPORTING PROGRAM

The following environmental mitigation measures were incorporated into the Conditions of Approval for this project in order to mitigate identified environmental impacts to a less than significant level. A completed and signed checklist for each measure indicates that this measure has been complied with and implemented, and fulfills the City’s monitoring requirements with respect to Assembly Bill 3180 (Public Resources Code Section 21081.6).

Mitigation Measures		Responsible Party	Timing of Compliance	Signature and Date of Compliance
<i>Air Quality and Greenhouse Gas Emissions</i>				
AQ-1	<p>Both commercial and residential elements of the project shall adhere to SCAQMD Rules 403 and 403.1 and follow and incorporate all Best Available Control Measures into a PM-10 Dust Control Plan and to be prepared for the both project land use component prior to commencement of site grading or other construction activity where soil disturbance or other fugitive dust may be generated. Sample BACMs that would be used during construction are included here.</p> <p>1. Clearing and Grubbing</p> <ul style="list-style-type: none"> • 02-1 Maintain stability of soil through pre-watering of site prior to clearing and grubbing. • 02-2 Stabilize soil during clearing and grubbing activities. • 02-3 Stabilize soil immediately after clearing and grubbing activities. <ul style="list-style-type: none"> ○ Water Exposed Surfaces three times per day ○ Soil Stabilizers for unpaved roads <p>2. Earth Moving Activities</p>	Construction Contractor to prepare a PM-10 Dust Control Plan to the satisfaction of the Development Services Director	During Construction	

Mitigation Measures		Responsible Party	Timing of Compliance	Signature and Date of Compliance
	<ul style="list-style-type: none"> 08-1 Pre-apply water to depth of proposed cuts 08-2 Reapply water as necessary to maintain soils in a damp condition and to ensure that visible emissions do not exceed 100 feet in any direction 08-3 Stabilize soils once earth-moving activities are complete. <ul style="list-style-type: none"> Pre-water to 12% 			
	<p>Landscaping</p> <ul style="list-style-type: none"> 10-1 Stabilize soils, materials, slopes Guidance: Apply water to materials to stabilize; maintain materials in a crusted condition; maintain effective cover over materials; stabilize sloping surfaces using soil until vegetation or ground cover can effectively stabilize the slopes; hydroseed prior to rain season. <ul style="list-style-type: none"> Replace Ground Cover in disturbed areas when unused for more than 10 days. 			
AQ-2	A coordinated effort shall be demonstrated between the City and the project grading contractors for any grading projects in the vicinity in order to minimize PM-10 dust emissions. Level of Significance Compliance with an approved PM-10 Dust Control Plan that sets forth the required Best Available Control Measures to be utilized during all phases of grading/construction of Project would ensure that impacts associated with emissions of criteria pollutants would be less than significant.	Construction Contractor in Coordination with the City	During construction	
Biological Resources				
BIO-1	Prior to any land disturbance, the applicant shall have a pre-construction survey conducted at the project site to determine presence/absence of burrowing owl. Results of the survey may determine whether focused surveys for the	Project Applicant submits survey results to Development Services Director	Prior to start of construction	

	Mitigation Measures	Responsible Party	Timing of Compliance	Signature and Date of Compliance
	species must be conducted.			
BIO-2	<p>If the site survey determines the presence of burrowing owl, mitigation in accordance with the California Department of Fish and Game (CDFG) shall be implemented as follows:</p> <ul style="list-style-type: none"> • If burrowing owls are identified as being resident on-site outside the breeding season (February 1 through August 31) may be relocated to other sites by a permitted biologist (permitted by CDFG), as allowed in the CDFG <i>Staff Report on Burrowing Owl Mitigation</i> (March 2012). • If an active burrow is found during the breeding season, the burrow shall be treated as a nest site and temporary fencing shall be installed at a distance of 550 yards from the active burrow to prevent disturbance during grading or construction. This is the maximum buffer distance recommended in the CDFG <i>Staff Report on Burrowing Owl Mitigation</i>. Installation and removal of the fencing shall be done with a biological monitor present. 	<p>Construction Contractor to identify a qualified biologist prior to commencement of grading. In the event that burrowing owls are on site, the contractor shall stop work and contact the biologist and the Development Services Department</p> <p>No work in the area of the owl shall recommence until the biologist has given approval</p>	During construction	
Cultural Resources				
CR-1	Because the project site is considered to be highly sensitive for containing prehistoric archaeological deposits in subsurface contexts and Native American human cremation have been found in the vicinity, a qualified archaeological monitor shall be present during all construction grading and trenching activities related to project implementation.	Construction Contractor/ Archaeologist	During Construction Grading and Trenching	

Mitigation Measures		Responsible Party	Timing of Compliance	Signature and Date of Compliance
Noise				
N-1	The project's Noise Study evaluated a four-foot high barrier on top of a manufactured berm. However in redesigning the site, the applicant is proposing a six-foot high barrier (wall) to be constructed along Avenue 50 in front of the residential component of the project. This has been reviewed by the project's Noise Specialist and found to be adequate for sound attenuation for rear yards. The barrier shall be constructed of a non-gapping material consisting of masonry, ½- inch thick glass, earthen berm or any combination of these materials.	Construction Contractor to the satisfaction of the Building Official	During Construction	
N-2	Prior to issuance of the first building permit for the residential element of the project, a final noise study shall be prepared to ensure a 45 dBA CNEL interior noise level in the locations where noise levels are above 60 dBA CNEL, at the locations indicated in Exhibit 5-1 Modeled Receptor Locations and Table 5-3 Future Exterior Noise Levels in Initial Study Appendix G.	Project Applicant/ Noise Specialist to the satisfaction of the Development Services Director and the Building Official	Prior to Issuance of Building Permit for Residential Element	
Traffic				
TIA-1	The project applicant shall pay a fair share of the cost to signalize the following intersections recommended for EAP conditions to reduce peak hour delay and improve intersection and roadway segment LOS to LOS D or better: <ul style="list-style-type: none"> • Install a traffic signal at Jackson Street/Avenue 50 • Install a traffic signal at Calhoun Street/Avenue 50 	Project Applicant to the satisfaction of the Public Works Director	During construction	

Mitigation Measures		Responsible Party	Timing of Compliance	Signature and Date of Compliance
TIA-2	The applicant shall construct the north side of Avenue 50 along the project’s frontage to its ultimate half section width as a Major Arterial with Bicycle Facility (118-foot cross section) in compliance with applicable City standards. The applicant shall also construct the west side of Calhoun Street along the project’s frontage to its ultimate half section width as a Collector with Bicycle Facility (90-foot cross section) in compliance with applicable City standards.	Project Applicant to the satisfaction of the Public Works Director	During construction	
TIA-3	<p><i>Driveway 1/Colonia Drive and Avenue 50</i> – The Project applicant shall install a stop control on the southbound approach and construct the intersection with the following geometrics:</p> <ul style="list-style-type: none"> • Northbound Approach: One shared left-through-right turn lane. • Southbound Approach: One shared left-through-right turn lane. • Eastbound Approach: One left turn lane (within painted median), two through lanes and one defacto right-turn lane. • Westbound Approach: One left turn lane, one through lane and one shared through-right turn lane. <p><i>Calhoun Street and Driveway 2</i> – The project shall install a stop control on the eastbound approach and construct the intersection with the following geometrics:</p> <ul style="list-style-type: none"> • Northbound Approach: One left-turn lane and one through lane. • Southbound Approach: One shared through-right turn lane. • Eastbound Approach: One shared left-right turn lane 	Project Applicant to the satisfaction of the Public Works Director	During Construction	

Mitigation Measures		Responsible Party	Timing of Compliance	Signature and Date of Compliance
Hazards and Hazardous Materials				
HAZ-1	Further investigation of the vicinity of the slabs in the southwest corner of the site is recommended to evaluate the potential for USTs and pesticide residues. This would include a geophysical survey to look for buried objects and the collection of soil samples to test for pesticide residues.	Project Applicant/ Registered Environmental Assessor or Registered Geologist to the satisfaction of the Development Services Director	Prior to Construction	
HAZ-2	Abandon the existing well on site in accordance with applicable regulations.	Project Applicant/ Construction Contractor to the satisfaction of the City Building Official	Prior to or During Construction	
HAZ-3	The potential exists for buried hazardous materials to be present in the northern portion of the western boundary of the site. A geophysical survey shall be conducted to look for buried metallic objects, and a backhoe be used to dig into the debris field at representative locations to evaluate how much debris is present (if any) and whether hazardous materials appear to be present. If suspect materials are observed, soil samples should be collected and analyzed to evaluate whether hazardous materials are actually present.	Project Applicant/ Registered Environmental Assessor or Registered Geologist to the satisfaction of the Development Services Director	Prior to Construction	
HAZ-4	Prior to Certificate of Occupancy of the Vehicle Fueling Station, the applicant shall apply for and show proof of permits to construct and operate, including an approved HMBP.	Project Applicant to the satisfaction of the Development Services Director	Prior to Construction	

Mitigation Measures		Responsible Party	Timing of Compliance	Signature and Date of Compliance
TIA-4	Prior to the issuance of building permits for each component of the project, the applicant shall pay applicable City of Coachella Development Impact Fees (DIF) and County of Riverside Transportation Uniform Mitigation Fees (TUMF) in effect at that time.	Project Applicant to the satisfaction of the Public Works Director	Prior to Issuance of Building Permits for Each Project Component	

	Mitigation Measures	Responsible Party	Timing of Compliance	Signature and Date of Compliance
CR-2	<p>A qualified vertebrate paleontologist should be retained prior to the start of construction, but after final depths of impacts are known, to develop a pre-construction paleontological mitigation plan limited to the proposed deep impact areas of the project only.</p> <p>In particular, the plan should (1) clearly define that test trenches should be dug to the maximum depth of proposed impacts, (2) permit the use of heavy equipment to perform the trenching as all samples will be taken from sidewalls after a stratigraphic profile is developed, (3) require recording of each strata revealed, (4) require radiocarbon dates for each strata, (5) require samples of about 10 kilogram (kg) for each strata with collection of additional samples up to 100 kg for layers rich in vertebrate fossils, (6) require identification and analysis by recognized experts, (7) require an interpretive report, (8) require curation of significant specimens recovered and (9) encourage publication of results. The plan will identify the amount of monitoring required.</p>	Construction Contractor/ Paleontologist	Prior to and During Construction	

Mitigation Measures		Responsible Party	Timing of Compliance	Signature and Date of Compliance
CR-3	In the event that human remains are uncovered, no further disturbance shall occur until the Riverside County Coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98. The Riverside County Coroner must be notified of the find immediately. If the human remains are determined to be prehistoric, the coroner will notify the NAHC, which will determine and notify a Most Likely Descendant (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.	Construction Contractor shall notify the Riverside County Coroner and the Development Services Director	Curing Construction	
Geology and Soils				
GEO-1	Structurally, the buildings shall be designed per seismic requirements in the California Building Code.	Project Applicant/ Design Engineer to the satisfaction of the City Building Official	During Project Design	
GEO-2	All earthwork including excavation, backfill and preparation of the subgrade soil, shall be performed in accordance with the geotechnical recommendations presented in <i>Geotechnical Investigation, Proposed Residential Development, Tentative Tract Map 36680, APN 612-280-018, Coachella California</i> , December 2013, prepared by Sladden Engineering, and portions of the local regulatory requirements, as applicable.	Construction Contractor to the satisfaction of the City Building Official	During Construction	

RESOLUTION NO. 2016-28

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COACHELLA, CALIFORNIA APPROVING TENTATIVE TRACT MAP NO. 37088 (TOWER ENERGY GROUP) TO ALLOW THE SUBDIVISION OF 20 ACRES INTO 4 PARCELS AND FURTHERMORE TO SUBDIVIDE PARCEL 4 INTO 115 SINGLE-FAMILY RESIDENTIAL LOTS, ON PROPERTY LOCATED NORTH OF AVENUE 50, WEST OF CALHOUN STREET. (TOWER ENERGY GROUP: APPLICANT).

WHEREAS, Tower Energy Group has filed an application for Tract 37088 to allow the subdivision of 20 acres of land into 4 lots and furthermore to subdivide lot 4 into 115 residential lots, on property located north of Avenue 50, west of Calhoun Street (APN 612-280- 018) and

WHEREAS, the City has processed said application pursuant to the Subdivision Map Act (commencing with Section 66400, Title 7 of the Government Code and the California Environmental Quality Act of 1970) as amended; and

WHEREAS, on June 15, 2016, the Planning Commission of the City of Coachella held a duly noticed and published Public Hearing and considered the Tentative Tract Map as presented by the applicant, adopting the findings, revised conditions, and staff recommendations; and,

WHEREAS, the Planning Commission on June 15, 2016 recommended approval of Tentative Tract Map No. 37088 subject to the staff recommendations and the modified conditions as presented by staff and listed below; and,

WHEREAS, the City Council of the City of Coachella held a duly noticed public hearing on July 13, 2016 to review the proposed subdivision, and allowed public testimony on the matter; and,

WHEREAS, the City Council of the City of Coachella finds that Tentative Tract Map 37088 is in compliance with the Subdivision Map Act and the City’s Subdivision Ordinance.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Coachella, California does hereby approve Tentative Tract Map No. 37088 (attached herein as “Exhibit A”) with the findings and conditions listed below.

Findings for Tentative Tract Map No. 37088

1. The proposed map and design of improvements are consistent with the General Plan and the City of Coachella Official Zoning Map. The subdivision is consistent with the development intensity permitted by the General Plan. Tentative Tract Map 37088 is in compliance with the subdivision standards of the Zoning Ordinance with respect to the R-PD (Residential-Planned Development) and CN-PD (Neighborhood Commercial-Planned Development) Zone.
2. The site is physically suitable for the type of development and the proposed density. The

proposed subdivision will provide adequately sized lots for future residential and commercial development. All proposed lots will have adequate dimensions, and ingress and egress to accommodate future development.

3. The design of the subdivision and type of improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. There are no sensitive habitats or bodies of water in the immediate vicinity of the site. All drainage from increased impervious material on the site will be contained on site for a 100-year storm event, as required by City regulations.
4. The design of the subdivision and type of improvements are not likely to cause any serious public health problems. The proposed subdivision would allow for future development of residential uses. All future development would be reviewed for compliance with applicable California Building Code regulations prior to issuance of any building permits.
5. The design of the subdivision and type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. The proposed subdivision would create 4 lots for commercial and residential development and lot 4 will be further subdivided into 115 single-family lots with adequate street frontage, access, and utility connections to all properties. There are no known easements that would conflict with the proposed subdivision.
6. An Environmental Assessment/Initial Study (EA No. 16-02) was prepared for the subject project pursuant to the State of California Environmental Quality Act Guidelines (CEQA). On July 13, 2016, the City Council adopted a Mitigated Negative Declaration as part of EA 16-02 and approved Tentative Tract Map 37088. Therefore, no further environmental review is required.

Conditions of Approval for Tentative Tract Map No. 37088

Mitigation Measures – Air Quality:

1. As required by SCAQMD for all development projects in the Salton Sea Air Basin that would disturb one-acre or greater, Best Available Control Measures will be incorporated into a PM-10 Dust Control Plan prepared for the project prior to commencement of site grading or other construction activity where soil disturbance or other fugitive dust may be generated. BACMs are listed at the end of the MMRP.

Mitigation Measures – Biological Resources:

2. Prior to any land disturbance, including grading or construction, the applicant shall have a focused biological survey conducted at the project site to determine presence/absence of burrowing owl (*Athene cunicularia*). If the site survey determines the presence of burrowing owl, mitigation in accordance with the California Department of Fish and Wildlife (CDFW) shall be implemented as follows: If burrowing owls are identified as being resident on-site outside the breeding season (February 1 through August 31) they may be relocated to other sites by a permitted biologist (permitted by CDFW), as allowed in the department's *Staff*

Report on Burrowing Owl Mitigation (March 2012). If an active burrow is found during the breeding season, the burrow shall be treated as a nest site and temporary fencing shall be installed at a distance of 550 yards from the active burrow to prevent disturbance during grading or construction. This is the maximum buffer distance recommended in the *Staff Report on Burrowing Owl Mitigation*. Installation and removal of the fencing shall be done with a biological monitor present.

Mitigation Measures – Cultural Resources:

3. A qualified archaeological monitor, as well as a Native American monitor shall be present during at least the initial phases of site grading, and shall also inspect any trenches and proposed water quality basins, to ensure that if any buried cultural resources are discovered during construction activities, all work shall be halted in the vicinity of the find. The archaeologist shall determine whether the find is an isolated example or part of a more complex resource. Upon determining the significance of the resource, the consulting archaeologist, in coordination with the City, shall determine the appropriate actions to be taken. The appropriate measures may include as little as recording the resource with the California Archaeological Inventory database or as much as excavation, recording, and preservation of the sites that have outstanding cultural or historic significance.
4. A qualified paleontological monitor shall be present during at least the initial phases of renewed site grading, and shall also inspect all trenches and proposed water quality basins, to ensure that if any paleontological resources are discovered during construction activities, all work shall be halted in the vicinity of the find. The paleontologist shall determine whether the find is an isolated example or part of a more complex resource. Upon determining the significance of the resource, the consulting paleontologist, in coordination with the City, shall determine the appropriate actions to be taken. The appropriate measures may include as little as recording the resource with the San Bernardino County Museum or as much as excavation, recording, and preservation of the sites that have outstanding paleontological significance.
5. Should human remains be uncovered, the Riverside County Coroner's Office shall be immediately contacted and all work halted until final disposition by the Coroner. State Health Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made necessary findings as to the origin and disposition pursuant to Public Resources Code Section 5097.98. Shall the remains be determined to be of Native American descent, the Native American Heritage Commission shall be consulted to determine the appropriate disposition of said remains.
6. If the coroner determines that the remains are not recent and may be Native American, in accordance with Public Resource Code 5097.94, the coroner will notify the Native American Heritage Commission (NAHC) within 24 hours of the find. The NAHC will then determine the Most Likely Descendant (MLD). The City will work with the designated MLD to determine the final disposition of the human remains.

Mitigation Measures – Geology and Soils:

7. Development of the project as proposed shall comply with recommendations for design and construction identified in the following documents: 1) "Geotechnical Investigation Proposed Residential Development Tentative Tract 36680 APN 612-280-018, Coachella California. Prepared by Sladden Engineering, December 31, 2013; 2) Geotechnical Investigation, Proposed Apartment Complex and MiniMart, Prepared by Sladden Engineering, February 12, 2012.

Mitigation Measures – Traffic and Transportation:

8. The applicant shall contribute to the City a fair share contribution for future traffic signals to be installed by the City at the intersection of Avenue 50 and Calhoun Street and at Avenue 50 and Jackson Street. Said contribution may be satisfied through full payment or with a letter of credit prior to the issuance of a building permit, or as otherwise approved by the City Engineer.
9. The applicant shall pay applicable City of Coachella Development Impact Fees (DIF) and County of Riverside Transportation Uniform Mitigation Fees (TUMF) in effect at that time.
10. Five (5) sets of copies of check prints. The applicant shall pay all necessary plan check, permit, and inspection fees. Fees will be determined when plans are submitted to the City Engineering Department for plan check.
11. The applicant shall pay plan check fees. \$750.00 per sheet of improvement plans, and \$350.00 for PM 10 plan.

Engineering – Grading and Drainage:

12. A preliminary geological and soils engineering investigation shall be conducted by a registered soils engineer, and a report submitted for review with the grading plan and shall include pavement recommendations (on-site & off-site). The report recommendations shall be incorporated into the grading plan design prior to grading plan approval. The soils engineer and/or the engineering geologist shall certify to the adequacy of the grading plan. Paving for public and private streets shall be constructed per City Standard unless more stringent standards are recommended by the geotechnical investigation.
13. A precise grading plan, prepared by a California Registered Civil Engineer, shall be submitted for review and approval by the City Engineer prior to issuance of any permits. A final soils report, compaction report and rough grading certificate shall be submitted and approved prior to issuance of any building permits.
14. A Drainage Report, prepared by California Registered Civil Engineer, shall be submitted for review and approval by the City Engineer prior to issuance of any permits. The report shall contain a Hydrology Map showing on-site and off-site tributary drainage areas and shall be prepared in accordance with the requirements of the Riverside County Flood Control District.

Adequate provisions shall be made to accept and conduct the existing tributary drainage flows around or through the site in a manner which will not adversely affect adjacent or downstream properties. If the design of the project includes a retention basin, it shall be sized to contain the runoff resulting from a 10-year storm event and the runoff from a 100-year storm event shall be contained within basin with shallow ponding (3.5' max.). The basin shall be designed to evacuate a 10-year storm event within 72 hours. The size of the retention basin(s) shall be determined by the hydrology report and be approved by the City Engineer. Retention basin shall be provided with a minimum of 2.00 feet sandy soil if determined to contain silt or clay materials. Maximum allowable percolation rate for design shall be 10 gal./s.f./day unless otherwise approved by the City Engineer. A percolation test for this site is required to be submitted. A combination drywell vertical drain field shall be constructed at all points where runoff enters the retention basin. Drywell & vertical drain field design shall be based on soils borings made at the proposed drywell locations after the retention basins have been rough graded. Minimum depth shall be as required by the approved geotechnical investigation recommendations. A log that includes sieve analysis for each strata of the borings, shall be submitted to the City Engineer for confirmation of depth of the vertical drain fields.

15. Site access improvements shall be in conformance with the requirements of Title 24 of the California Administrative Code. This shall include access ramps for off-site and on-site streets as required.
16. Applicant shall obtain approval of site access and circulation from Fire Marshall.
17. Separate permits shall be required for all perimeter walls for the residential project. The maximum height of any wall shall be limited to six (6) feet as measured from the higher elevation of grade on either side.

Engineering – Street Improvements:

18. Street improvement plans prepared by a California Registered Civil Engineer shall be submitted for engineering plan check prior to issuance of encroachment permits. All street improvements including street lights shall be designed and constructed in conformance with City Standards and Specifications. Street flow line grade shall have a minimum slope of 0.35 percent.
19. Applicant shall construct all off-site and on-site improvements including street pavement, curb, gutter, sidewalk, street trees, perimeter walls, perimeter landscaping and irrigation, storm drain, street lights, and any other incidental works necessary to complete the improvements. Driveways shall conform to City of Coachella standard for commercial driveways with a minimum width of 24.00 feet and curbed radius entrances. New sidewalks shall be installed on the existing site along Avenue 50 and Calhoun Street.
20. An additional dedication of land will be required along the north half of Avenue 50 and the west half of Calhoun Street as shown on the 2035 City of Coachella General Plan. Calhoun

Street will be constructed as a 88 foot "Collector Street with Enhanced Bicycle Facility". Avenue 50 will be constructed as a 118 foot "Major Arterial Street with Enhanced Bicycle Facility" with landscaped median, as approved by the City Engineer.

21. Applicant shall contribute its fair share contribution for the cost of future traffic signals to be installed by the City at the intersection of Avenue 50 and Calhoun Street.
22. Applicant shall obtain an encroachment permit for any improvements constructed within public right-of-way including alleys.
23. Sewer and Water service is available to the site. The applicant shall plot location of existing service mains on the existing grading plan.

Engineering – General:

24. Prior to issuance of any encroachment permits by the City of Coachella, the applicant shall resolve CVWD issues related to existing tile drains or irrigation mains located within the project boundary or along the streets adjacent to the property. If necessary tile drains and irrigation lines shall be relocated, and easement document prepared for the new location of any such lines. Plans for the tile drain or irrigation relocation shall be submitted to the City for evaluation regarding possible conflict with City facilities. The applicant shall submit to the City approved copies of any relocation plans.
25. The developer shall submit a Fugitive Dust Control and Erosion Control plan in accordance with Guidelines set forth by CMC and SCAQMD to maintain wind and drainage erosion and dust control for all areas disturbed by grading. Exact method(s) of such control shall be subject to review and approval by the City Engineer. No sediment is to leave the site. Additional securities in amount of \$2,000 per acre of gross area, and a one-time cash deposit of \$2,000.00 are required to insure compliance with this requirement. No work may be started on or off site unless the PM-10 plan has been approved and the original plans are in the engineering department at the City of Coachella.
26. "As-built" plans shall be submitted to and approved by the City Engineer prior to acceptance of the improvements by the City. All off-site and on-site improvements shall be completed to the satisfaction of the City Engineer prior to acceptance of improvements for maintenance by the City.
27. Applicant shall comply with the valley wide NPDES permit requirements including but not limited to submittal of a preliminary WQMP for plan review accompanied by a \$3,000 plan check deposit and a Final WQMP for final approval including executed maintenance agreement. All unused plan check fees will be refunded to the applicant upon approval of the Final WQMP.
28. Prior to the issuance of a certificate of occupancy, all public improvements, including landscaping and lighting of retention basins, and landscaped areas along the exterior streets, shall be completed to the satisfaction of the City Engineer.

29. An amount of \$9,112.28 shall be paid to the City to reimburse the cost of previously constructed water services under approval of "Reimbursement Agreement with Rilington Canyon LLC" for the extension of Water Main in Avenue 50.

Development Services – Landscaping:

30. Final landscaping and irrigation plans shall be submitted to the Development Services Department for review and approval. Said plans shall conform to the landscaping plan submitted as part of the subject Architectural Review, and as conditioned herein.
31. Prior to the issuance of building permits, the applicant shall submit detailed landscaping and irrigation plans for review and approval by the City's Engineering Department and Development Services Department.
32. Landscaping and irrigation shall be provided in accordance with Section 17.54.010(J) of the Municipal Code and in accordance with the State Model Water Efficient Landscape Ordinance (AB 1881). Water budget calculations, including the Maximum Applied Water Allowance (MAWA) and Estimated Total Water Use (ETWU) shall be provided as part of the landscaping and irrigation plan.
33. The landscape plan shall provide for a minimum 5-gallon groundcover plants, 5-gallon shrubs, and 22-inch box trees. The plants and trees shall be irrigated with an automatic and durable drip irrigation system.
34. Landscaped areas shall be dressed with a minimum 2-inch layer of compacted and/or glue-bonded decomposed granite that cannot be wind driven. A weed barrier underlayment shall be placed under the decomposed granite.
35. Plant materials selection should be represented by symbols that show the plants at 75% of their mature size.
36. The applicant shall obtain written clearance from the County Agricultural Commissioner's Office regarding the type of landscaping to be planted. The clearance letter shall be included as a note on the landscape plans. The applicant shall utilize only plants that were listed on the landscape plan submitted to the Commissioner's office. Any substitutions must be approved by both the Commissioner's office as well as the City's Development Services Department.
37. Six-inch concrete bands shall be used as mow strip borders for planting areas where separating turf areas or synthetic turf areas.
38. All landscape planter beds in interior parking areas shall be not less than five (5) feet in width and bordered by a concrete curb not less than six (6) inches nor more than eight (8) inches in height adjacent to the parking surface.

39. All non-landscaped and undeveloped areas of the site shall be kept free of weeds and debris and shall be treated with a dust-preventative ground coating.

Development Services – Project Design:

40. Prior to the issuance of building permits, all exterior architectural features and treatments shall be consistent with the submitted Architectural Review No. 16-05 elevations and color/material board samples and shall be included and noted on all construction plans and elevations, subject to review and approval.
41. All exposed metal flashing, downspouts, or utility cabinets shall be painted to match the building prior to final inspection.
42. Trash enclosures installed for the project shall be compatible architecturally with the building and include storage areas for recycling containers. The enclosure shall be constructed to Burrtec Waste Management Standards. The location of the trash enclosure shall be approved by both Burrtec Waste Management and the City Engineer.
43. All roof mounted mechanical equipment shall be view obscured by a parapet wall greater in height than the equipment installed. Ground mounted mechanical equipment shall be view obscured by landscaping or enclosure.
44. Outdoor storage areas shall be obscured from public view and specifically shall not be visible from Avenue 50 and Calhoun Street.

Riverside County Fire Department:

45. The applicant shall submit building plans for review and approval by the Riverside County Fire Department and pay any applicable fees prior to the issuance of a building permit by the City.
46. A final inspection and clearance of the building shall be required from the Fire Department prior to occupancy of the building.
47. For any buildings with public access, provide or show a water system capable of delivering a fire flow 3250 gallons per minute for 3 hours duration at 20 psi residual operating pressure, which must be available before any combustible material is placed on the construction site. CFC 2013 Edition Section Table B105.1. *50% reduction has been applied for the proposed sprinklered building provision.*
48. For any building with public access, including all having one or two dwelling units of less than 3,600 square feet - provide or show a water system capable of delivering a fire flow of 1,000 gallons per minute for 1 hour duration at 20 psi residual operating pressure. **50% reduction has been applied for the proposed sprinklered building provision*

49. Prior to building plan approval and construction, applicant/developer shall furnish two copies of the water system fire hydrant plans to Fire Department for review and approval. Plans shall be signed by a registered civil engineer, and shall confirm hydrant type, location, spacing, and minimum fire flow. Once plans are signed and approved by the local water authority, the originals shall be presented to the Fire Department for review and approval.
50. Prior to issuance of building permits, the water system for fire protection must be provided as approved by the Fire Department and the local water authority.
51. Blue dot retro-reflectors pavement markers shall be provided on private streets, public streets and driveways to indicated location of the fire hydrant. 06-05 (located at www.rvcfire.org)
52. Fire Apparatus access road shall be in compliance with the Riverside County Fire Department Standard number 06-05 (located at www.rvcfire.org). Access lanes will not have an up, or downgrade of more than 15%. Access lanes will be designed to withstand the weight of 60,000 pounds over 2 axles. Access will have a turning radius capable of accommodating fire apparatus. Access lane shall be constructed with a surface so as to provide all weather driving capabilities.
53. Any turn-around shall require a minimum 38-foot turning radius.
54. All structures shall be accessible from an approved roadway to within 150 feet of all portions of the exterior of the first floor.
55. The minimum dimensions for access roads and gates are 20 feet clear and unobstructed width and a minimum vertical clearance of 13 feet 6 inches in height.
56. Roadways may not exceed 660 feet without secondary access. This access may be restricted to emergency vehicles only however public egress must be unrestricted.
57. The applicant or developer shall prepare and submit to the Fire Department for approval, a site plan designating required fire lanes with appropriate lane printing and/or signs.

Imperial Irrigation District:

58. Any construction or operation on IID property or within its existing and proposed right-of-way or easements will require an encroachment permit, including but not limited to: surface improvements such as proposed new streets, driveways, parking lots, landscape; and all water, sewer, storm water, or any other above ground or underground utilities (e.g. power lines).
59. Any and all mitigation necessary as a result of the construction, relocation and/or upgrade of IID facilities is the responsibility of the project proponent.

Utilities:

60. Water and sewer plans outside the buildings and interior plumbing or mechanical plans (i.e. floor drains and sinks, equipment which discharges to the sewer system, chemical storage and spill containment measures) shall be provided to the City Utilities Department for review and approval.
61. A Source Control "Short Form" (and the Source Control application if required) shall be completed and turned into Source Control (Utilities Department) by the applicant.
62. Based on findings of the Source Control application, all modifications shall be completed prior to issuance of a certificate of occupancy.
63. Adequate fire protection shall be included and the public water supply shall be protected with a DCDA or greater on all fire water lines to commercial/industrial facilities.
64. An RP shall be correctly installed within 12" of all water meters servicing domestic usage, landscape, commercial and/or industrial facilities.
65. All landscaping shall be on a separate water meter with an RP ensuring the establishment is not assessed sewer fees for water used on landscape.
66. All mechanical and plumbing plans shall be submitted to the Utilities Department for review to determine if pretreatment and/or a sample location is required.
67. All facilities and landscape plumbing which have water or wastewater (sewer) services shall obtain approval from the Environmental Compliance (Source Control), Water and Sanitary Sewer Divisions prior to receipt of the Certificate of Occupancy.
68. Fire hydrants must be at the end of each dead end for flushing.
69. RPZ Style Backflow devices shall be installed on commercial and landscape meters.
70. Above ground DCDA backflows must be installed for all fire line services.
71. Master-metered, radio-read water meters shall be utilized for the project.

Fees:

72. Prior to the issuance of a building permit, the applicant shall pay all Development Fees to the City; this also includes school fees and outside agency fees such as sewer water and utilities. Copies of receipts shall be provided to the Development Services Department prior to permit issuance.
73. The applicant shall be responsible for paying all applicable development and processing (plan check, inspection, etc.) fees associated with this project.

74. The applicant shall pay all applicable school impact fees to the Coachella Valley Unified School District prior to the issuance of a building permit.
75. The applicant shall pay all required water connection fees.
76. The applicant shall be required to pay the Multiple Species Habitat Conservation (MSHCP) fees for commercial and residential development prior to issuance of building permits.
77. The applicant shall comply with the City's Art in Public Places Ordinance. If the applicant elects to pay in-lieu art fees, then the fees shall be deposited into the Public Arts Fund at an amount of (1) One-half (1/2) of one percent (1%) for new commercial and industrial construction.
78. The project is subject to payment of all commercial development impact fees whether or not explicitly stated in other conditions of approval or the environmental mitigation measures for the subject project.

Miscellaneous:

79. Installation of sidewalks along Avenue 50 and Calhoun Street may be satisfied by an improvement agreement subject to review and approval by the City Engineer. The 1st phase of development shall include completion of all off-site improvements on Calhoun Street and the service station portion of the commercial frontage on Avenue 50.
80. Final design plans for proposed landscaping and fencing along the project street frontages shall be presented as an administrative item before the Planning Commission for final review and approval.
81. The floor plans for the single family residential dwellings shall incorporate a trash bin storage area within the enclosed garages, and an A/C and mechanical equipment area in the covered porch area in order to avoid obstructions in the side yards.
82. The City Engineer or designee shall review the hydrology plans to mitigate drainage impacts of occasional large-storm rain events.
83. The applicant shall submit a comprehensive Sign Program for review by the Planning Commission through a non-hearing review, prior to the issuance of a certificate of occupancy for the first commercial buildings.
84. The applicant shall submit a photometric lighting plan for review and approval by the Development Services Director prior to the issuance of a building permit for exterior lighting fixtures within the commercial center.
85. The sub-divider or successor in interest shall annex the subject property into City of Coachella Community Facilities District (CFD) 2005-01 for City police, fire and paramedic services, prior to recordation of Tentative Tract Map 37088 and prior to the issuance of any

building permits for construction of off-site improvements or residential buildings. The sub-divider shall submit an assessment plat map exhibit prepared by a licensed design professional, along with the petition and ballot, and any other documents necessary to annex the subject property into the City of Coachella CFD 2005-01.

86. Prior to recordation of the final map, the sub-divider or successor in interest shall pay the City of Coachella a Supplemental Water Supply Charge fee, based on the signed Memorandum of Understanding (MOU) between the City of Coachella and CVWD, to ensure sufficient water supplies for the new residential lots created as part of Tentative Tract Map 37088. The amount paid for supplemental water supplies shall not exceed CVWD's Supplemental Water Supply Charge for similar development types and water requirements in effect at the time paid. Alternatively, this condition of approval may be deemed satisfied, prior to recordation of the final map, if the City adopts a standardized development impact fee to collect the Supplemental Water Supply Charge fee collected at the time of issuance of a building permit for new homes, consistent with the MOU between CVWD and the City of Coachella.
87. The developer shall submit a Fugitive Dust Control and Erosion Control plan in accordance with Guidelines set forth by CMC and SCAQMD to maintain wind and drainage erosion and dust control for all areas disturbed by grading. Exact method(s) of such control shall be subject to review and approval by the City Engineer. No sediment is to leave the site. Additional securities, in bond form, in amount of \$2,000.00 per acre of gross area, and a one time cash deposit of \$2,000.00 are required to insure compliance with this requirement. No work may be started on or off site unless the PM-10 plan has been approved, the original plans, and executed dust control agreement, are filed in the engineering department at the City of Coachella.
88. "As-built" plans shall be submitted to and approved by the City Engineer. Prior to acceptance of the improvements by the City, such plans, once approved, shall be given to the city on compact disk in AutoCad format. All off-site and on-site improvements shall be completed to the satisfaction of the City Engineer prior to acceptance of improvements for maintenance by the City.
89. Applicant shall comply with the valley wide NPDES permit requirements including but not limited to submittal of a Preliminary WQMP for plan review accompanied by a \$3,000 plan check deposit and a Final WQMP for final approval including executed maintenance agreement. All unused plan check fees will be refunded to the applicant upon approval of the Final WQMP.
90. Prior to issuance of a Certificate of Occupancy, the applicant shall dedicate artwork for display in common space(s) such as project entryways, perimeter to the development; the specific artwork to be dedicated shall be approved by the City of Coachella Development Services Director prior to installation.

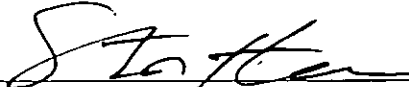
PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Coachella held on July 13, 2016 by the following roll call vote:

AYES: Councilmember Bautista, Councilmember Sanchez
Mayor Pro Tem Martinez and Mayor Hernandez

NOES: None

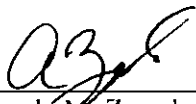
ABSENT: Councilmember Perez

ABSTAIN: None



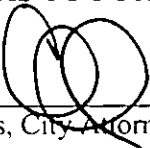
Steven A. Hernandez, Mayor

ATTEST:



Angela M. Zepeda, City Clerk

APPROVED AS TO FORM:



Carlos Campos, City Attorney

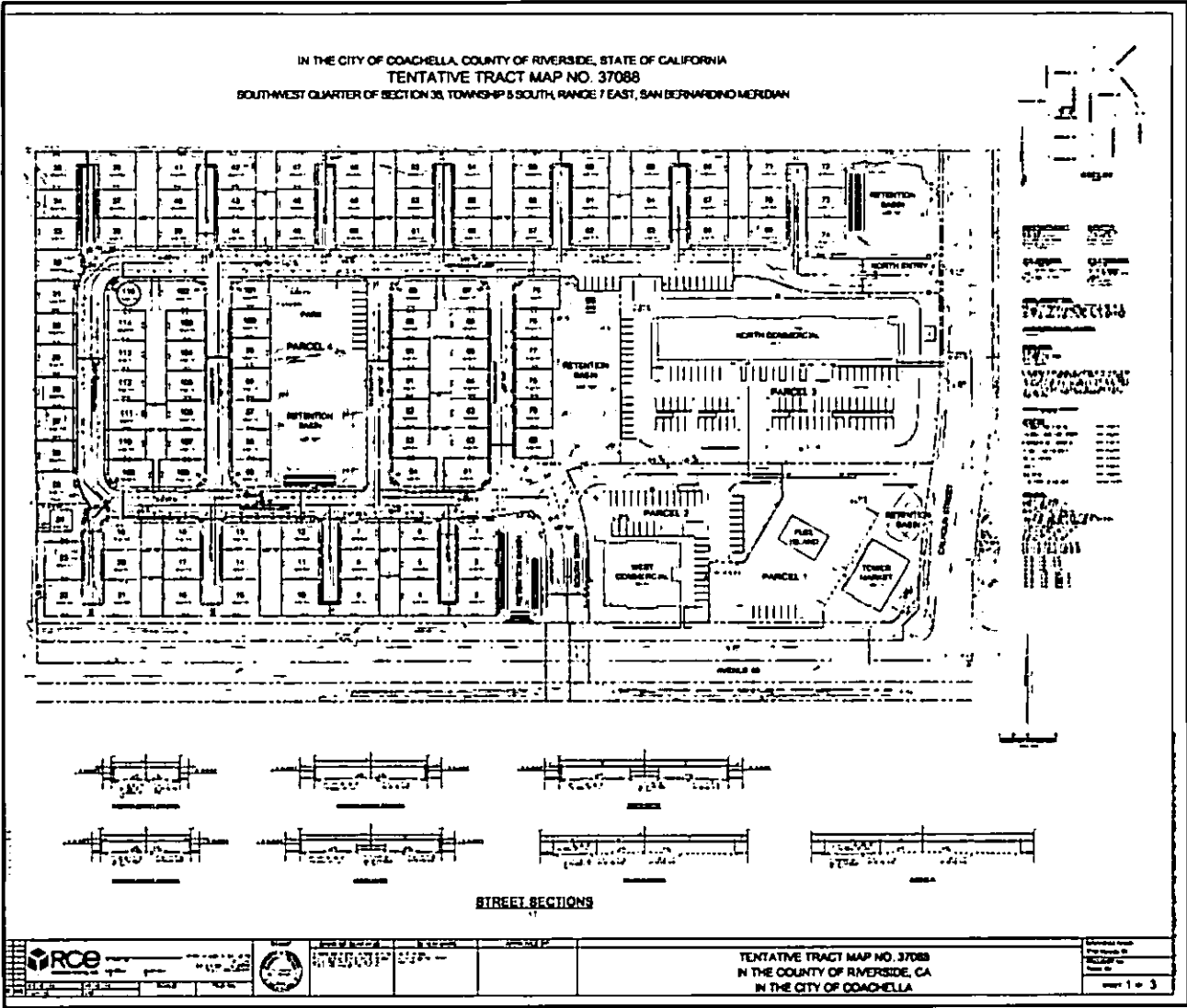
STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss
CITY OF COACHELLA)

I, Angela M. Zepeda, City Clerk of the City of Coachella, do hereby certify that the foregoing is a full, true and correct copy of Resolutions No. 2016-28, adopted by City Council of the City of Coachella at a regular meeting therefore duly held and convened on the 13th day of July.



Angela M. Zepeda, City Clerk

“EXHIBIT A”





STAFF REPORT
9/18/2024

TO: Planning Commission Chair and Commissioners

FROM: Gabriel Perez, Development Services Director

SUBJECT: AM PM – Type 21 Alcohol Sales Conditional Use Permit No. 364 (Mod)

SPECIFICS: Request to modify conditions of approval for CUP 364 for liquor sales as part of the operation of a 5,170 sq. ft. “AMPM” convenience store (ABC License Type 21, Off-Sale General) in an existing commercial building located at 48055 Grapefruit Blvd. in the C-G (General Commercial) zone. GSC & Son Corporation (Applicant)

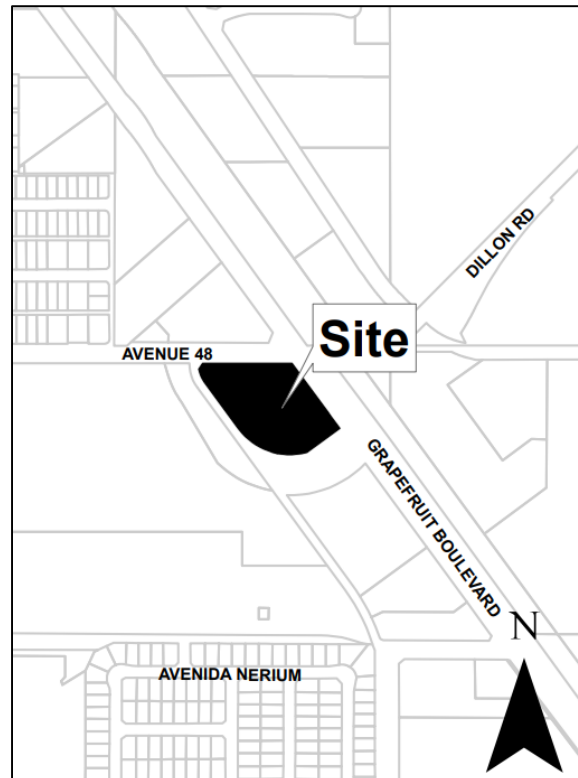
STAFF RECOMMENDATION:

Staff recommends that the Planning Commission adopt Resolution No. PC2024-21 approving A modification to Conditional Use Permit (CUP) No. 364 to allow a liquor sales license (Type 21 On Sale General Alcohol License) at the AMPM convenience store located at 48055 Grapefruit Blvd. pursuant to the findings and conditions of approval contained in the attached resolution.

BACKGROUND:

The subject site is an existing commercial tenant space located within a 1.7-acre commercial building located at 48055 Grapefruit Blvd. The AMPM convenience store currently utilizes Type 20 Off-Sale Beer and Wine license type with the California Department of Alcohol Beverage Control (ABC) since September 2017.

On April 19, 2023 the Planning Commission approved CUP No. 364 for Type 21 Off-Sale license that would allow the applicant to include the sale of spirits and a one year time extension was approved by the Planning Commission until April 19, 2025. The CUP conditions of approval required maintenance and improvements to the site with milestones that the applicant did not want to pursue. The Planning Commission approved a new



commercial multi-tenant building on July 17, 2024 for the remainder vacant lot at the commercial center that include the same conditions of approval that the applicant objected to complete with CUP No. 364. The applicant requests the modification to CUP No. 364 in order to remove the conditions of approval that are also included with CUP No. 354 and Architectural Review (AR) No. 24-02.

DISCUSSION/ANALYSIS:

The applicant, GSC & Son Corporation, has an approved Conditional Use Permit (CUP) to allow the off sale of liquor (beer, wine and distilled spirits) at the AMPM convenient store. The AMPM convenient store currently holds Type 20 off-sale beer and wine license, which will be surrendered once the Type 21 license by CA Department of Alcohol Beverage Control (ABC) is issued. The AMPM convenient store will continue the same operating hours, which is open for 24 hours, every day of the week.

Staff is supportive of the applicant's request to modify conditions of approval of CUP No. 364 as the new "Starbucks" commercial multi-tenant building is required to fulfill the same conditions that include landscape maintenance, sidewalk improvements, pylon sign modifications, and new street light. The applicant has submitted civil engineering and building construction plans to the City's Building Division and Engineering Department for plan check. The following are conditions of approval that are requested to be removed from the CUP No. 364 conditions of approval:

3. Provide a set of proposed Covenants, Conditions and Restrictions (CC&R) for review and approval. The proposed CC&Rs shall contain the Association's/Owner's maintenance obligations with respect to various facilities including, but not limited to, right-of-way and private landscaping, private streets, sidewalks, utilities, street lights, and Water Quality Management Plan (WQMP) features. This document must be submitted to and approved by the City before it is submitted to any other governmental entity. The City of Coachella shall be listed as an express third-party beneficiary and be reviewed and approved by the City Attorney's office prior to recordation. Recordation of the amended CC&Rs with the City listed as a third-party beneficiary shall occur prior to issuance of a Type 21 license from CA Alcohol Beverage Control.
4. The CUP No. 364 will be considered effective upon replacement of on-site missing, dead or decaying landscaping and removal of the abandoned pylon frame to the satisfaction of the Code Enforcement Manager and Development Services Director. The applicant shall arrange a field inspection with the Code Enforcement Manager and Development Services Director to affirm that this conditional approval was addressed. The Development Services Director will confirm with the CA Alcohol Beverage Control that this condition has been satisfied at that the CUP No. 364 is considered affective.
6. The applicant shall install and continue the sidewalk along the southeast portion of the commercial center specifically the frontage (along Grapefruit Blvd.) of the vacant parcel APN: 603-220-057 within 6 months of the approval of CUP 364.
12. The existing abandoned metal freestanding sign at the corner of Grapefruit Blvd and Avenue 48 shall be removed prior to issuance of a Type 21 ABC License.

13. The applicant shall install a new Street Light to provide lighting for the new sidewalk extension along the frontage of the southeast portion of the commercial center (along Grapefruit Blvd.) of the vacant lot 603-220-057 within 6 months of the approval of CUP 364.

Once the Planning Commission approves the modifications to the conditions of approval, City staff can immediately provide clearance to ABC that the CUP is considered effective.

ENVIRONMENTAL REVIEW:

Staff has determined that the proposed project is categorically exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act as “Existing Facilities” (CEQA Guidelines, Section 15301). The proposed project consists of the operation, licensing and minor alteration of an existing private commercial structure involving no expansion of existing or former commercial use on the property. The subject site has been used for commercial retail establishments and no expansions of floor area are proposed.

CONCLUSIONS AND RECOMMENDATIONS

Based on the analysis contained herein and the findings listed below, staff is recommending that the Planning Commission approve a modification to CUP No. 364 with the findings and conditions listed in Resolution No. PC 2024-21.

1. Adopt Resolution No. PC 2024-21 approving Conditional Use Permit No. 364 (Modification) with the findings and conditions as recommended by Staff.
2. Deny the proposed CUP modifications and maintain existing conditions of approval of CUP No. 264
3. Continue this item and provide staff and the applicant with direction.

Attachments:

1. Resolution No. PC 2024-21
Exhibit A – Conditions of Approval
2. Vicinity Map
3. AM PM Convenient Store Floor Plan
4. Existing Conditions Photos
5. Landscape Plan
6. April 19, 2023 Staff Report for CUP No. 364

RESOLUTION NO. PC 2024-21

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COACHELLA, CALIFORNIA APPROVING A MODIFICATION TO CONDITIONAL USE PERMIT NO. 364 TO ALLOW OFF-SALE BEER, WINE, DISTILLED SPIRITS FOR THE 5,170 SQUARE FOOT “AMPM” CONVENIENCE STORE (ABC LICENSE TYPE 21- OFF-SALE GENERAL) IN AN EXISTING COMMERCIAL BUILDING LOCATED AT 48055 GRAPEFRUIT BLVD. (APN 603-220-056); GSC & SON CORPORATION, APPLICANT.

WHEREAS, GSC & SON Corporation filed an application for a modification to Conditional Use Permit No. 364 (CUP 364) to modify conditions of approval for a 5,170 square foot eating place for service of beer, wine and distilled spirits (ABC License Type 21 – Off-Sale General) in an existing commercial building located at 48055 Grapefruit Blvd.; Assessor’s Parcel No. 603-220-056 (“Project”); and,

WHEREAS, the Planning Commission conducted a duly noticed public hearing on CUP No. 364 on April 19, 2023 at the Coachella City Hall, 1515 6th Street, Coachella, California approving the proposed Project; and,

WHEREAS, the Planning Commission conducted a duly noticed public hearing on a modification to CUP No. 364 on September 18, 2024 at the Coachella City Hall, 1515 6th Street, Coachella, California approving the proposed CUP modifications; and,

WHEREAS, at the Planning Commission hearing, the Applicant and members of the public were present and were afforded an opportunity to testify regarding the Project; and,

WHEREAS, the Project is permitted pursuant to Chapter 17.74 of the Coachella Municipal Code.

WHEREAS, the proposed use is necessary or desirable for the development of the community, is consistent with the objectives of the City’s General Plan, and is not detrimental to the existing uses or the uses specifically permitted in the zone in which the proposed use is to be located; and,

WHEREAS, the proposed site is part of an existing commercial center and the establishment currently utilizes an ABC Type 20 – Off-Sale Beer and Wine and will accommodate the proposed ABC Type 21- Off-Sale General; and,

WHEREAS, the site for proposed use relates properly to streets which are designed to carry the type and quantity of traffic to be generated by the proposed use; and,

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

WHEREAS, the conditions as stipulated by the City are necessary to protect the public health, safety and welfare of the community.

NOW, THEREFORE, BE IT RESOLVED, THE PLANNING COMMISSION OF THE CITY OF COACHELLA, CALIFORNIA DOES HEREBY FIND DETERMINE AND RESOLVE AS FOLLOWS:

SECTION 1. Recitals. The above recitals are true and correct and incorporated herein as findings of fact.

SECTION 2. CEQA Findings.

Based upon its review of the entire record, including the Staff Report, any public comments or testimony presented to the Planning Commission, and the facts outlined below, the Planning Commission hereby finds and determines that the proposed project is categorically exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act as an “Existing Facilities” project (CEQA Guidelines, Section 15301a) as the proposed on sale service of liquor will occur in conjunction with an existing business in an existing commercial building.

SECTION 3. Conditional Use Permit Findings.

With respect to Conditional Use Permit No. 364 the Planning Commission finds as follows:

1. The proposed use will not be in conflict with, but will be in harmony with and in accordance with the objectives of the general plan because the proposed convenience store use with alcohol sales is within the Suburban Retail District land use designation according to the General Plan 2035, which allows retailers located in major crosstown corridors, retail districts balance the need to provide convenient access and parking for motorists providing an attractive shopping environment. The proposed Type 21 Off-Sale General liquor license support the type of established as convenient store located at the major arterial supporting the goals of the General Plan.
2. The proposed use will be located, designed, constructed, operated and maintained so as to be compatible with the existing character of the general vicinity and shall not change the essential character of the same area because the proposed use is within a zoning designation of ‘C-G’ (General Commercial) which permits convenient store subject to obtaining a conditional use permit to sell alcoholic beverages. The proposed use in the C-G zone and is compatible with the adjoining commercial uses and the conditional use permit can be revoked if any of the conditions of approval are violated.
3. Consideration has been given to harmony in scale, bulk, coverage and density, to the availability of public facilities and utilities, to harmful effect, if any, upon desirable neighborhood character, to the generation of traffic and the capacity of surrounding streets, and to any other relevant impact of development, because the existing commercial has all infrastructure available on-site for the convenient store. The project was part of a commercial center that was approved by Planning Commission as Architecture Review 12-07, CUP 254 and CUP 256, therefore the project conforms to the on-site parking pursuant to the City Parking Ordinance Chapter 17.54.
4. Where the proposed use may be potentially hazardous or disturbing to existing or

reasonably expected neighboring uses, it must be justified by the common public interest as a benefit to the community as a whole. As conditioned, the proposed use will provide for the sale of alcoholic beverages. The Riverside County Sheriff indicated that there no concerns about the operations of this establishment. The Sherriff's Department did not recommend conditions related to public safety concerns. As such, there will be no hazardous or disturbing effects to the existing and neighboring uses.

5. The proposed use provides vehicular approaches to the property designed for reasonable interference with traffic on surrounding public streets or roads. Existing vehicular approaches from Avenue 48, Dillon Road, and Grapefruit Blvd. will be utilized for the project. Existing on-site vehicular parking is sufficient.
6. The City of Coachella has determined that the proposed project is categorically exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act as an "Existing Facilities" project (CEQA Guidelines, Section 15301a) as the proposed on sale service of liquor will occur in conjunction with an existing business in an existing commercial building.

SECTION 4. Location and Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings are based are located at Coachella Civic Center. The Development Services Director is the custodian of the record of proceedings.

SECTION 5. Execution of Resolution. The Chairman shall sign this Resolution and the City Clerk shall attest and certify to the passage and adoption thereof.

SECTION 6. Planning Commission Approval Based on the foregoing recitals and findings above, and the written and oral comments, facts and evidence presented, the City of Coachella Planning Commission hereby approves Conditional Use Permit No. 364 Modification for the Coachella Gateway project subject to and amended by conditions of approval in "Exhibit A."

PASSED APPROVED and ADOPTED this 18th day of September 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Jason Hernandez
Planning Commission Chairperson

ATTEST:

Gabriel Perez
Planning Commission Secretary

APPROVED AS TO FORM:

Carlos Campos
City Attorney

DRAFT

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF COACHELLA)

I HEREBY CERTIFY that the foregoing Resolution No. PC2024-21 was duly adopted by the Planning Commission of the City of Coachella at a regular meeting thereof, held on this 18th day of September 2024 by the following vote of the Planning Commission:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gabriel Perez
Planning Commission Secretary

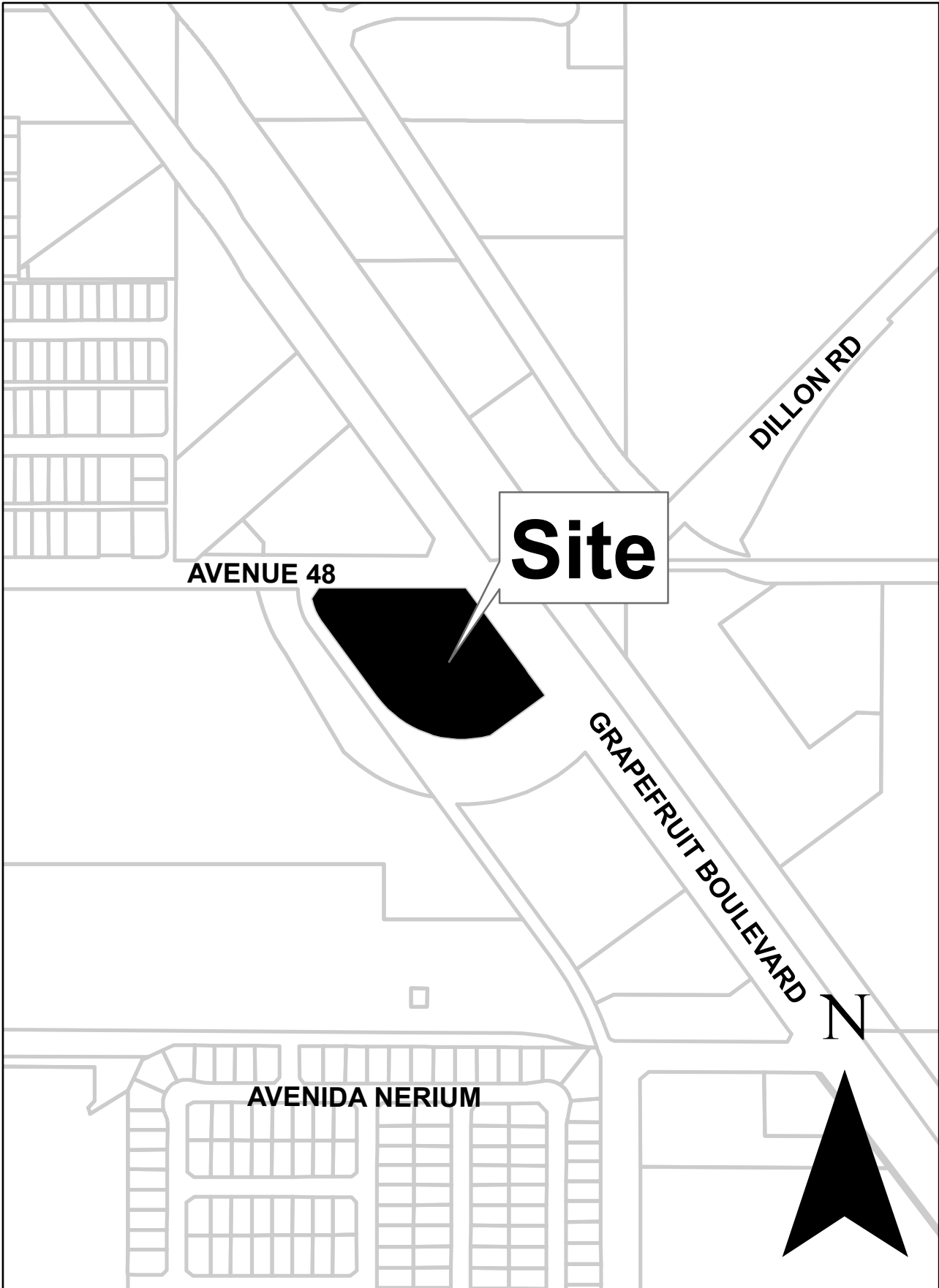
Exhibit A – Resolution No. PC2024-21**CONDITIONS OF APPROVAL FOR
CONDITIONAL USE PERMIT 364 (MODIFICATION) COACHELLA GATEWAY**

***Modified Conditions in Strikeout and bold.**

General Conditions

1. Conditional Use Permit No. 364 is an approval for the on sale of beer, wine and distilled spirits in an existing commercial facility AMPM convenient store. This approval is based on the floor plan submitted for the proposed project. Violation of any of the conditions of approval shall be cause for revocation of the Conditional Use Permit.
2. Alcohol sales must be commenced within 12 months of the effective date of this Conditional Use Permit unless a request for an extension of time is reviewed by the Planning Commission. A request for time extension shall be filed in a timely manner with applicable fees.
3. ~~Provide a set of proposed Covenants, Conditions and Restrictions (CC&R) for review and approval. The proposed CC&Rs shall contain the Association's/Owner's maintenance obligations with respect to various facilities including, but not limited to, right of way and private landscaping, private streets, sidewalks, utilities, street lights, and Water Quality Management Plan (WQMP) features. This document must be submitted to and approved by the City before it is submitted to any other governmental entity. The City of Coachella shall be listed as an express third-party beneficiary and be reviewed and approved by the City Attorney's office prior to recordation. Recordation of the amended CC&Rs with the City listed as a third-party beneficiary shall occur prior to issuance of a Type 21 license from CA Alcohol Beverage Control.~~
4. ~~The CUP No. 364 will be considered effective upon replacement of on-site missing, dead or decaying landscaping and removal of the abandoned pylon frame to the satisfaction of the Code Enforcement Manager and Development Services Director. The applicant shall arrange a field inspection with the Code Enforcement Manager and Development Services Director to affirm that this conditional approval was addressed. The Development Services Director will confirm with the CA Alcohol Beverage Control that this condition has been satisfied at that the CUP No. 364 is considered affective.~~
5. The site landscaping shall be maintained in good condition at all times, and the owner or operator of the facility shall be responsible for replacing any damaged, dead or decayed landscaping as soon as practicable and in accordance with the approved landscape plan.
6. ~~The applicant shall install and continue the sidewalk along the southeast portion of the commercial center specifically the frontage (along Grapefruit Blvd.) of the vacant parcel APN: 603-220-057 within 6 months of the approval of CUP 364.~~
7. Any break in service, meaning the closure of the convenience convenient store for a period of 180 consecutive days, will result in the expiration of this CUP.

8. The applicant will agree to defend and indemnify the City of Coachella against all claims, actions, damages, and losses, including attorney fees and costs, in the event that anyone files legal challenges to the approval of this project on the basis of the California Environmental Quality Act (CEQA). Prior to the issuance of building permits, the applicant shall execute a standard indemnification agreement subject to review by the City Attorney.
9. The use shall meet the standards within the limits established by the Coachella Municipal Code as related to emissions of noise, odor, dust, vibration, wastes, fumes, or any public nuisances arising or occurring incidental to the establishment or operation.
10. Hours of operation will continue the same operating hours, which open for 24 hours, very day of the week.
11. The applicant shall comply with all requirements imposed by the State Department of Alcoholic Beverage Control and a review of this conditional use permit will be required if the business results in an increase in floor area.
- ~~12. The existing abandoned metal freestanding sign at the corner of Grapefruit Blvd and Avenue 48 shall be removed prior to issuance of a Type 21 ABC License.~~
- ~~13. The applicant shall install a new Street Light to provide lighting for the new sidewalk extension along the frontage of the southeast portion of the commercial center (along Grapefruit Blvd.) of the vacant lot 603-220-057 within 6 months of the approval of CUP 364.~~



AVENUE 48

Site

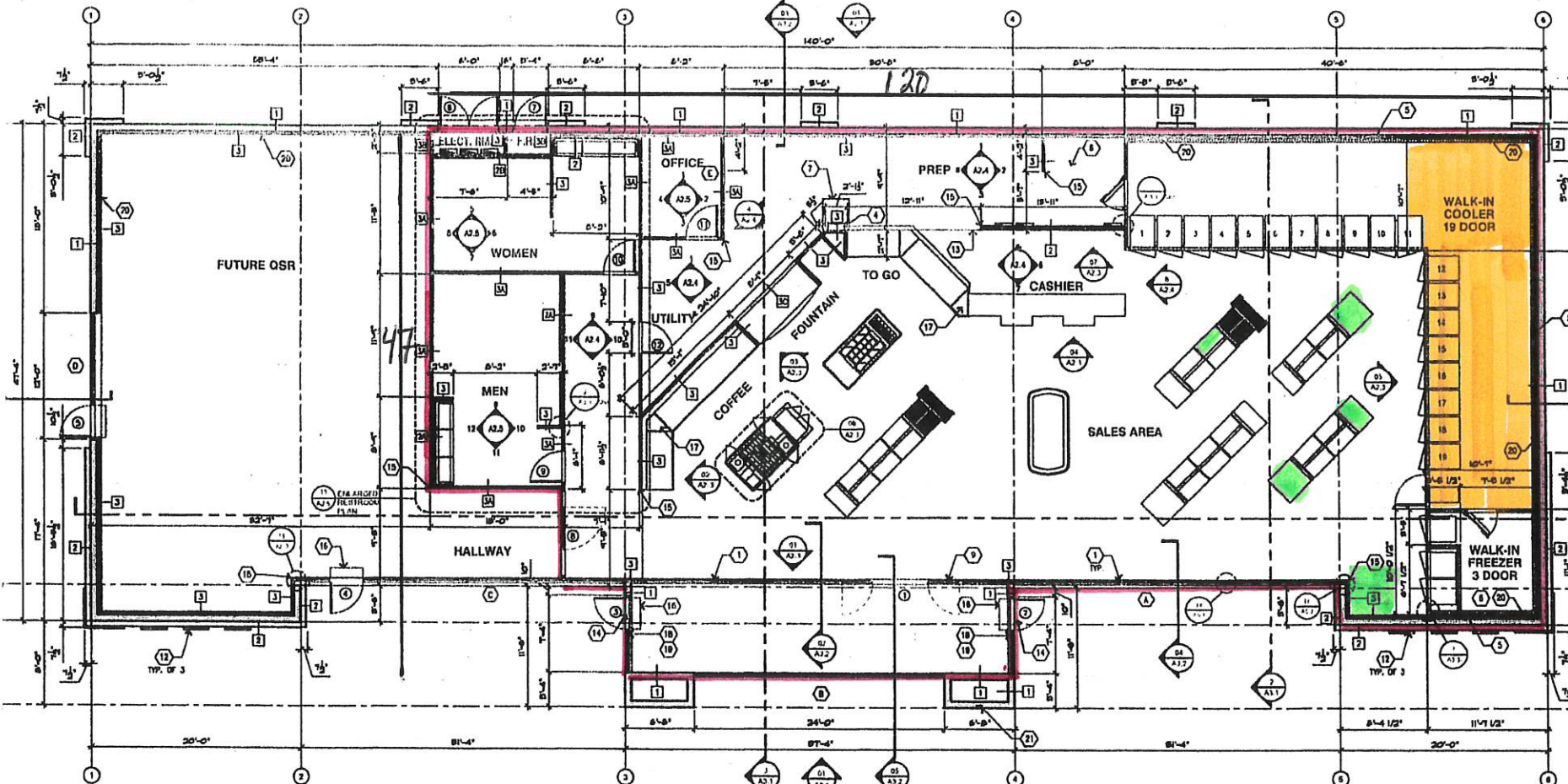
DILLON RD

GRAPEFRUIT BOULEVARD

N

AVENIDA NERIUM

Vicinity Map



AL NOTES

1. DIMS ARE TO FACE OF STUD UNLESS NOTED OTHERWISE
 2. DIMENSIONS ARE TO BE USED PLANS SHALL NOT BE SCALED
 3. ALL ARE 3/4" INTERIOR WALLS UNLESS NOTED OTHERWISE

KEYED NOTES

1. ALUMINUM ENTRANCE AND STOREFRONT SYSTEM, REFER TO SHEET A3.1 & SPECIFICATION

WALL LEGEND

WOOD FRAMED WALL

NOTES

1. ALUMINUM WIPED SMALLER THAN 1/4" PROHIBITED

FIRE DEPARTMENT NOTES

1. ALL EXIT DOORS TO BE EQUIPPED WITH PANDA HARDWARE

FLOOR PLAN

SCALE: 3/16"=1'-0"

Total Square Footage: 5,170 square feet
Liquor storage: 192 square feet
Liquor display: 43.5 square feet

G & SON CORPORATION
DBA: AMPM
48055 Grapefruit Blvd.
Coachella, CA 929236

FLOOR PLAN

Existing Conditions Photos

CUP 364

Landscape Areas at AM PM:





Landscape Areas at Burger King:

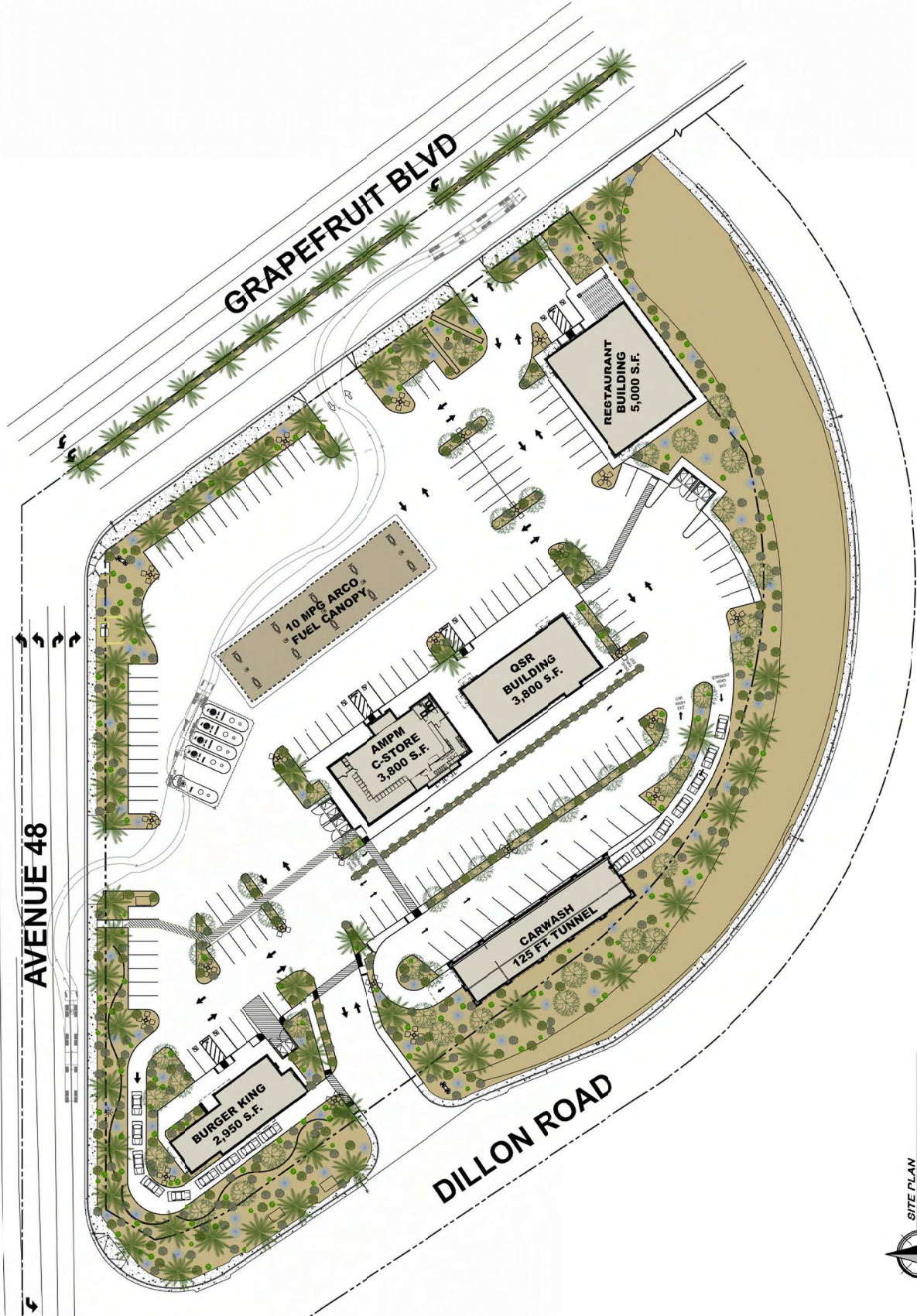




Car Wash Landscape Areas:



Attachment 5





STAFF REPORT
4/19/2023

TO: Planning Commission Chair and Commissioners

FROM: Eva Lara, Planning Technician

SUBJECT: AM PM – Type 21 Alcohol Sales

SPECIFICS: Conditional Use Permit No. 364 to allow liquor sales as part of a proposed 5,170 sq. ft. “AMPM” convenience store (ABC License Type 21, Off-Sale General) in an existing commercial building located at 48055 Grapefruit Blvd. in the C-G (General Commercial) zone. GSC & Son Corporation (Applicant)

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission adopt Resolution No. PC2023-08 approving Conditional Use permit No. 364 to allow a liquor sales license (Type 21 On Sale General Alcohol License) at the AMPM convenience store located at 48055 Grapefruit Blvd. pursuant to the findings and conditions of approval contained in the attached resolution.

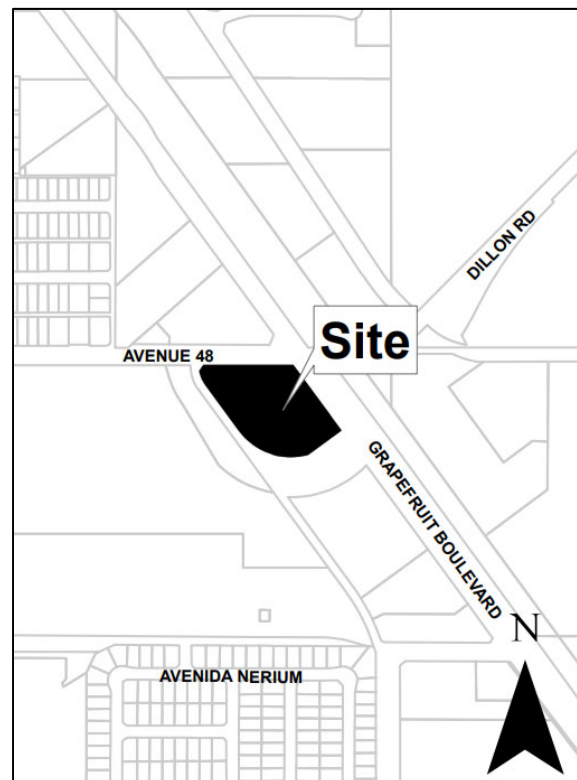
BACKGROUND:

The subject site is an existing commercial tenant space located within a 1.7-acre commercial building located at 48055 Grapefruit Blvd. The AMPM convenience store currently utilizes Type 20 Off -Sale Beer and Wine license type with the California Department of Alcohol Beverage Control (ABC) since September 2017.

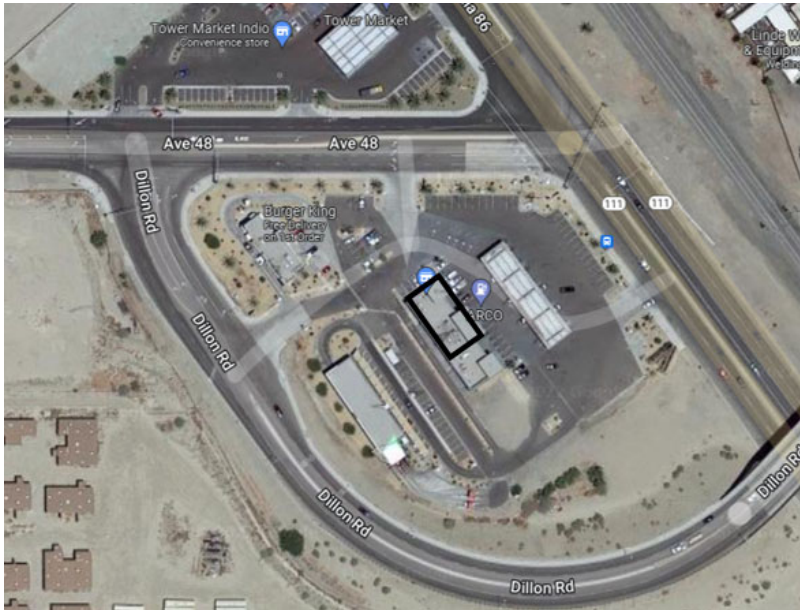
In March 2022, the applicant applied for a Type 21 On Sale General Alcohol License with the City; however, the applicant withdrew the application in June 2022 due to related concerns over the abandoned sign removal, landscape maintenance and sidewalk improvements conditioned in CUP 350 and Resolution No. PC 2022-07.

DISCUSSION/ANALYSIS:

The applicant, GSC & Son Corporation, has submitted a request for a Conditional Use Permit



(CUP) to allow the off sale of liquor (beer, wine and distilled spirits) at the AMPM convenient store. The AMPM convenient store currently holds Type 20 off-sale beer and wine license, which will be surrendered once the Type 21 is issued.



The zoning designation of the commercial center where the store is proposed is within the C-G (General Commercial) and allows liquor sales with approval of a CUP. In December of 2016, the City adopted an ordinance requiring a conditional use permit for any off-sale and on-sale alcohol sales establishment, with additional land use regulations contained in Section 17.74.015 of the Zoning Code. The Conditional Use Permit findings are required to be made by the Planning Commission.

Section 17.74.015(C)(2) of the Municipal Code establishes that off-sale establishments must comply with the following requirements:

- a. The establishment does not fall within seven hundred (700) feet, measured from property line to property line, of a use for religious worship, school (public or private), park, playground, residential or any similar sensitive use; and**

The establishment is within 700 feet of Rancho Las Flores Park and residences.

- b. The establishment does not fall within seven hundred (700) feet, measured from property line to property line, of an existing liquor, off-sale use; and**

The establishment is within 700 feet of other off-sale establishments, which is the Tower Market across the street north of Avenue 48; however, the Tower Market is not within the City of Coachella jurisdiction but within the City of Indio.

- i. The planning commission may find that the public benefit outweighs the distance restrictions of subsections (a) and/or (b) above, upon additional findings that:**

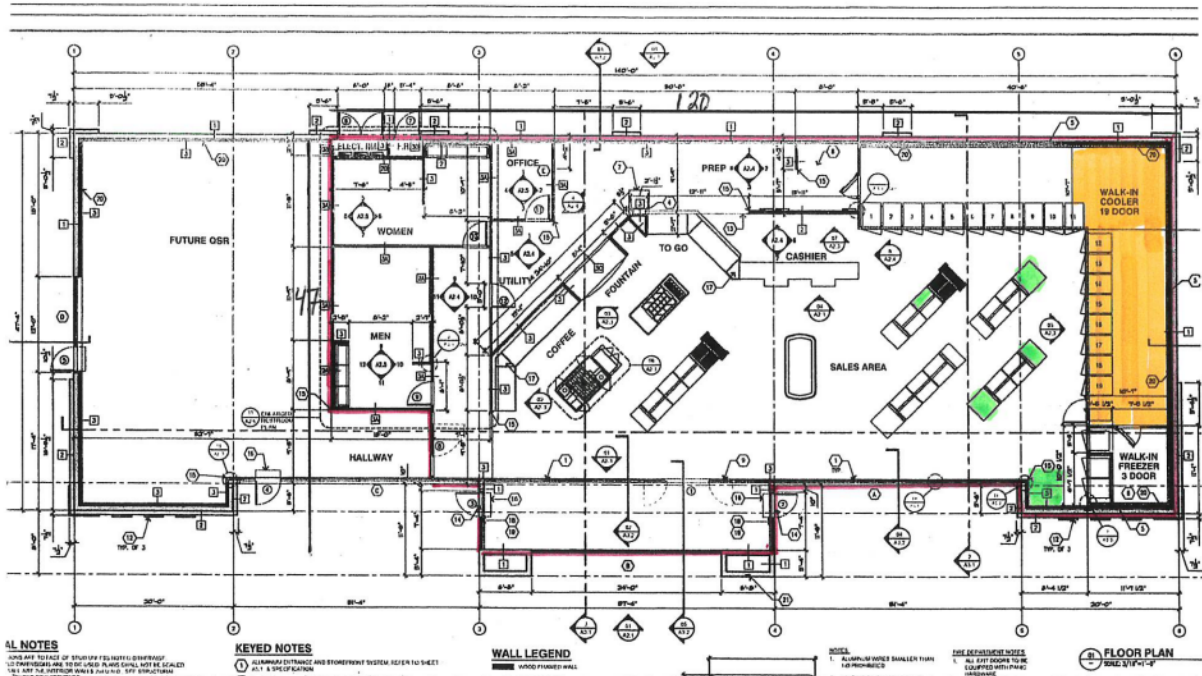
Staff recommends that the Planning Commission makes the finding that the public convenience or necessity is justified to issue the off-sale beer, wine and distilled spirits license as the convenient store offers goods and services in the nearby neighborhood.

- (A) The establishment provides a substantial benefit to the immediate neighborhood not provided by another existing establishment within the restricted distance; and

The establishment provides benefit to the immediate neighborhood, as it is the one of the only facilities in the City of Coachella offering food and fueling services to the neighborhood at the most northwest city boundary. There is an existing convenience store to the North, Tower Market, that also provides the sale of food items, alcoholic beverages, and fuel.

- (B) Not greater than five percent of the sales floor area or one thousand (1,000) square feet, whichever is less, shall be used for the display or sale of alcoholic beverages;

The floor plan and picture shown below shows the location of the display and storage of the beer, wine and distilled spirits, which is 4.5 percent, which does not exceed the five percent or the 1,000 sf for the display and storage of alcoholic beverages.



Total Square Footage: 5,170 square feet
 Liquor storage: 192 square feet
 Liquor display: 43.5 square feet

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 DBA: AMPM
 48055 Grapefruit Blvd.
 Coachella, CA 929236

- c. That the requested establishment at the proposed location will not adversely affect the economic welfare of the nearby community; and**

Moreover, the establishment will not adversely affect the economic welfare of the nearby community since the applicant is not establishing or introducing a new liquor license in the area, rather is it a change of a type of liquor license. The establishment is within a commercial center along a major arterial (Grapefruit Blvd.) which provides essential services for nearby residents like food and fuel. However, staff added conditions to the project since it is within a commercial center along an entry way commercial corridor to the City of Coachella. One of the conditions is to provide general upkeep of the perimeter landscape along the entire commercial center to a first-class condition. This includes the removal of dead or trash debris and replacement plant material of along the perimeter landscape of the commercial center. Another condition is to complete the sidewalk network along the vacant southeast frontage of the commercial center along Grapefruit Blvd. (APN: 603-220-057)

- d. That the exterior appearance of the structure of the proposed establishment will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight or deterioration, or substantially diminish or impair the property values within the neighborhood.**

There will be no alterations to the exterior facade of the establishment, the AMPM convenient store was built along with the other structures within the site. In addition, a condition has been added to include the requirement of providing Covenants, Conditions and Restrictions (CC&R) and name the City as third-party beneficiary containing obligation of maintenance obligations such as private landscaping, private streets, sidewalks and other pertinent items.

- D. Additionally, if the California Department of Alcoholic Beverage Control (ABC) notifies the City that the proposed establishment is either (1) subject to the State law moratorium/limit on the number of liquor licenses that may be issued within the city under California Business and Professions Code Section 23817.7 or, (2) is in an area of "undue concentration" of liquor licenses, as defined in California Business and Professions Code Section 23958.4; the planning commission must additionally find that the public convenience or necessity nonetheless justifies the issuance of the liquor license to the establishment.**

The subject site is located within Census Tract 9404.00, where ABC concentration standards allow a maximum of 3 of off-sale licenses, where 12 exists as shown on Table 1. When it is determined by ABC that there is an undue concentration of off-sale licenses, the Planning Commission must make findings that the public convenience or necessity justifies the issuance of the liquor license to the establishment.

Table 1 – Off-Sale Alcohol Licenses

Off-Sale Alcohol License within Census Tract 9404.00			
Business Name		Address	License Type
1	Food 4 Less 517	49241 Grapefruit Blvd.	21 (General)
2	Coachella Travel Center	46155 Dillon Rd.	20 (Beer and Wine)
3	Victory Liquor & Sports Goods	49968 Cesar Chavez St.	21 (General)
4	CVS Pharmacy	84010 Avenue 50	21 (General)
5	Garibaldi Meat Market	49975 Harrison St.	20 (Beer and Wine)
6	Coachella Florist	49889 Harrison St.	20 (Beer and Wine)
7	Family Dollar	49681 Harrison St.	20 (Beer and Wine)
8	Coachella Oil Corporation	46651 Dillon Rd.	20 (Beer and Wine)
9	Smart & Final Store 718	49978 Harrison St.	21 (General)
10	Baja Meat Market	47570 Van Buren St.	21 (General)
11	ARCO AMPM	48055 Grapefruit Blvd.	20 (Beer and Wine)
12	Tower Market	84417 Indio Blvd.	21 (General)

Per ABC, If the applicant surrenders the current type 20 upon issuance of the type 21, a PCN letter is required. The applicant's intent is to surrender existing Type 20 and replace it with the new Type 21 license, if approved by the Planning Commission.

Staff contacted the Lieutenant Vazquez with the Riverside County Sheriff regarding any concerns or complaints for the AMPM convenient store License change from Type 20 to Type 21 Liquor License that the Planning Commission may want to consider when making findings or including conditions of approval for the CUP. Lieutenant Martinez did not identify any concerns with the applicant for the AMPM Convenient Store and does not recommend any conditions of approval.

Hours of Operation:

The AMPM convenient store will continue the same operating hours, which is open for 24 hours, every day of the week.

Environmental Setting:

The subject site is within an existing commercial building at 48055 Grapefruit Blvd substantially surrounded by urban uses, with adjoining zoning and land uses as follows:

North: Tower Market/City of Indio

South: Lighthouse Marijuana Dispensary / (C-G, General Commercial)

East: Highway 111 & Railroad

West: Lighthouse Marijuana Dispensary / (C-G, General Commercial)

Site Plan / Parking and Circulation:

The site is fully developed with three points of access, one from Grapefruit Blvd., second one from Avenue 48 and third one from Dillon Road. The site provides ample parking spaces for the existing commercial center. No modifications to the site are proposed with this request. The subject site does not provide a direct access point to the nearby Rancho Las Flores Park and is separated by the Dillon Road grade separation and the Glenroy hotel site.

Landscape:

There is an approved landscape plan for the Coachella Gateway commercial center, which includes the AM PM, Burger King, Car Wash, and future commercial building on existing vacant pads (Attachment 5). The Development Services Department initiated efforts to bring existing shopping centers citywide into compliance with approved landscape plans and ensure regular landscape maintenance in a first class condition. Staff has also revisited landscape conditions for projects requesting new entitlements to ensure landscape areas are improved and that maintenance agreements between the city and owner are in place to ensure long-term maintenance occurs according to City expectations.

During an April 2023 walk-through by Staff, it was observed that landscape areas were recently re-planted for AM PM consistent with the approved landscape plan. There are areas on this pad that need to be improved as Staff observed removed trees. In the remainder of the commercial center, the landscape areas need to be improved for consistency with the original landscape plans. An extensive amount of removed and missing shrubs were observed in the remainder landscape areas. The landscape areas shown on the landscape plan for future pads would be required upon the construction of those future commercial buildings. Staff met with the applicant April 12, 2023 to discuss staff concerns regarding landscape maintenance and the applicant expressed interest in improving all landscape areas. Conditions of approvals # 3, 4, 5 are included in Resolution No. PC 2023-08 to specifically address landscape improvements and maintenance.

ENVIRONMENTAL REVIEW:

Staff has determined that the proposed project is categorically exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act as “Existing Facilities” (CEQA Guidelines, Section 15301). The proposed project consists of the operation, licensing and minor alteration of an existing private commercial structure involving no expansion of existing or former commercial use on the property. The subject site has been used for commercial retail establishments and no expansions of floor area are proposed.

CONCLUSIONS AND RECOMMENDATIONS

Based on the analysis contained herein and the findings listed below, staff is recommending that the Planning Commission approve Conditional Use Permit No. 364 with the findings and conditions listed in Resolution No. PC 2023-08.

1. Adopt Resolution No. PC 2023-08 approving Conditional Use Permit No. 364 with the findings and conditions as recommended by Staff.
2. Deny the proposed Conditional Use Permit and not permit the sale of distilled spirits.
3. Continue this item and provide staff and the applicant with direction.

Attachments:

1. Resolution No. PC 2023-08
2. Vicinity Map
3. AM PM Convenient Store Floor Plan
4. Existing Conditions Photos
5. Landscape Plan