



STAFF REPORT
7/26/2023

TO: Honorable Mayor and City Council Members

FROM: Gabriel Perez, Development Services Director

SUBJECT: Rancho Escondido Event Venue

SPECIFICS: Adopt Resolution No. 2023-51 approving a 36-Month Renewal of Entertainment Permit No. 22-02 for the Rancho Escondido Event Venue, an outdoor entertainment venue located on an 8.6-acre site at 85321 Avenue 44 (APN# 696-520-014). Applicant: Leonel Lopez and Margarita Lopez

STAFF RECOMMENDATION:

Staff recommends that the City Council adopt Resolution No. 2023-51 approving the 36-month renewal of Entertainment Permit No. 22-02, pursuant to the findings and conditions of approval contained in the attached resolution.

BACKGROUND:

The subject site is an 8.6-acre equestrian and residential property at 85321 Avenue 44 located towards the City's northerly boundary largely surrounded by vacant properties and the nearest residential neighborhood is the Four Seasons at Terra Lago active adult community (55 and over) approximately 1,125 feet northerly from the nearest point of the subject site at Avenue 44. The property is flag-shaped with a long unimproved driveway of approximately 751 feet. The driveway has an existing aggregate base surface for dust control purposes.

The "flag" portion of the property includes a barn, horse stables, and an existing residence on the northern portion. The center of the property includes 17,000 sq ft plaza area with a kitchen building, restroom building, covered stage area, concrete sidewalks enclosed within white ranch rail fencing. The plaza area is intended by the applicant for outdoor events that would be permitted if the City Council approves the requested entertainment permit. The plaza area has landscape improvements consisting of turf and date palm trees. A circular driveway with an aggregate base surface encircles the plaza area and a 22,000 sq. ft. vacant area that the applicant intends to use for guest parking. The applicant received City Council approval of an entertainment permit for the event venue after consideration at a public hearing on July 27, 2022.

The subject property is in the Resort District of the General Plan, which includes allowed uses of residential, lodging, recreational and support retail, commercial services, theme parks, sports venues, and specialized entertainment venues. The proposed use is consistent with the General

Plan Vision of the area as a place for a range of entertainment and destination uses that requires a large amount of land and draw visitors to the City.

Entertainment permits are permitted under Chapter 5.24 of the Coachella Municipal Code (C.M.C.) under Title 5 (Business Licenses and Regulations). Application for an entertainment permit require an investigation of the application by the City Manager and consideration of the proposal at a public hearing by the City Council. The City may impose conditions that include:

1. The days and hours during which the entertainment establishment may operate.
2. The total number of persons including employees and entertainers allowed during its operation.
3. Traffic control measures including the number of parking spaces required for the entertainment establishment.
4. Noise control measures required in the entertainment establishment.
5. Security or safety measures of the patrons, employees, neighbors and general public of the entertainment establishment, including the number of security personnel which may be altered by the chief of police.
6. The placement and utilization of hand-held metal detectors at each entrance to the entertainment establishment for the purpose of ascertaining and removal of weapons from each and every person entering the entertainment establishment to the satisfaction of the chief of police.

C.M.C. Chapter 5.24.80.B states that an entertainment permit shall be valid for an initial period of one year, and the City Council may grant, conditionally grant or deny the a three year renewal of the entertainment permit. The applicant requests a three-year renewal by the City Council.

DISCUSSION/ANALYSIS:

The applicant, Leonel Lopez and Margarita Lopez, have operated under a City-approved entertainment permit since the City Council approved Entertainment Permit No. 22-02 on July 27, 2022 to allow the operation of an outdoor entertainment venue on an 8.6-acre site at 85-321 Avenue 44. The zoning designation of the commercial center where the venue is located is within the R-E (Residential Estate), which will transition to Resort District zoning upon adoption by the City Council of the Zoning Consistency Update. The entertainment venue accommodates a range of events operating on Saturdays from 12 p.m. to 12 a.m. and accommodates up to 200 guests. The event types may include, but not limited to:

- Family event
- Birthdays
- Anniversaries
- Weddings
- Mariachi practice

The applicant utilizes local small business vendors to provide event coordination, table and chair rentals, photo booths, cakes and desserts, caterers, inflatable jumpers, video and photographers, parking attendants, mariachi and DJ's.



Rancho Escondido location

Staff contacted the Lieutenant Vasquez with the Riverside County Sheriff regarding any concerns for the proposed business that the City Council may want to consider when making findings or including conditions of approval for the entertainment permit. Lieutenant Vasquez did not identify any concerns with the business and does not recommend any conditions of approval. The Fire Department has no concerns with the facility and have provided conditions of approval for the entertainment venue.

Hours of Operation:

The applicant is conditioned under the existing entertainment permit to maintain operating hours on Saturdays from 12 p.m. to 12 a.m.

Environmental Setting:

The subject site is a vacant site that is substantially surrounded by urban uses, with adjoining zoning and land uses as follows:

North: Avenue 44 and City of Indio / (PMP) Project Master Plan – City of Indio

South: Vacant / (R-E, Residential Estate)

East: Vacant/ (R-M PUD, Residential Multiple Family - Planned Unit Development)

West: Vacant/ (R-M, Residential Multiple Family)

Site Plan / Parking and Circulation:

The site is accessed Avenue 44 which is a Primary Arterial, which at full construction would accommodate 4 vehicular lanes and bike lanes. The existing Avenue 44 is improved with two vehicular lanes and an improved roadway about 25 feet wide with unpaved shoulders. The Northside of Avenue 44 is in the City of Indio and the Southside of Avenue 44 is part of the City of Coachella. Vehicular access to the subject site would occur from a 751-foot long driveway that accommodates stacking for 37 vehicles. Parking is provided to the north, west, east and south of the event venue assembly area that can accommodate 65 vehicles and an area for 60 parking spaces for overflow parking. The limited timeframe for events at the venue including appropriate number of vehicle stacking on-site would pose a minimal impact to traffic on Avenue 44 or for the intersection of Avenue 44 and Dillon Road.

The event area is centralized in a 17,000 sq. ft plaza area with existing improvements that include a kitchen building, restroom building, covered stage area with concrete dance floor/gathering area, concrete sidewalks enclosed within white ranch rail fencing. Wedding ceremonies are held on the turf area on the west side of the plaza to take advantage of the valley and mountain views to the West. The stage area serves as the area for staging music and amplified sound and oriented towards the southeast. The applicant identified a maximum occupancy of 200 guests with two types of events expected which include small events for 80-100 guests and large events between 150-200 guests. The applicant has arranged for 2 parking attendants for small events and 3 parking attendants for large events.

Security:

The applicant has secured on-site licensed security for all events with 1 security guard for every 50 people. All private events that lease from the applicant will be required to use licensed security. The applicant is required to increase security personnel based on recommendations by the City Manager or Coachella Police. City staff has observed adequate security during all events upon compliance visits.

Noise

The special event activities with use of amplified music is proposed and would generate noise on-site and therefore the applicant engaged LSA Associates to prepare a noise analysis (LSA Noise Analysis for Wedding Venue at 85321 Avenue in Coachella Attachment 5) that was considered with the original entertainment permit approval. The noise analysis was prepared to determine the maximum noise level that can be generated by the event venue to be consistent with the City of Coachella Municipal Code noise standards by identifying the noise impact to existing receptors that include

The Lodge Four Seasons at Terra Lago in the City of Indio, a date farm to the north in the City of Indio, Coachella Lakes RV Resort located east in the City of Coachella, and Love's Travel Stop located to the Southeast in the City of Coachella. The analysis concluded that the event venue

could generate a maximum noise level of 85.5 continuous sound level in A-weighted decibels at a distance of 50 feet from 6:00 am to 10:00 pm and 75.5 decibels at a distance of 50 feet from 10 pm to 6 am to maintain compliance with the City's 10-minute noise standards of 55 dBA from 6:00 am to 10 pm and 45 dBA from 10:00 pm to 6 am. The noise analysis did not factor the directionality of speakers or any shielding by the event venue operators. The speakers were proposed to be directed in a southeast direction from the stage area during the study, minimizing directionality of noise to residences to the North. The applicant has since adjusted the direction of the sound system in the southerly direction pursuant to guidance from the LSA acoustical expert to further reduce noise levels to nearby residential neighborhoods.

Staff Observations of Noise Impacts

Staff has received various complaints from residents of the Four Seasons Terra Lago community in Indio throughout the first year of the venue operation under the issued entertainment permit. City of Coachella code enforcement staff has visited the location several times including the Development Services Director on the dates of December 17, 2022 and February 4, 2023. while events were occurring to determine if the events were operating out of compliance with the City Noise Ordinance. The City Noise Ordinance requires the location selected for measuring exterior noise levels between residential properties shall be at the property line of the affected residential property. On all occasions the decibel levels never exceeded the limits allowed by the Noise Ordinance of 55 decibels over a ten minute average decibel limit between 6 a.m. to 10 p.m. or 45 db(A) between 10 p.m. to 6 a.m. for residential uses. Decibel measurements were taken at multiple locations along the frontage of the Terra Lago community and within the community. Staff was able to observe music sounds that was audible within the Terra Lago community but did not exceed Noise limits established in the City Noise Ordinance. Staff communicated to the applicant to work with their noise consultant to identify ways to reduce noise levels and the applicant reconfigured their sound system to face in the southerly direction. Code enforcement staff has not received new noise complaints from the Terra Lago community since the reconfiguration of the sound system in May of 2023.

Proposed Modification by Applicant

The applicant proposes to modify the parameters of their entertainment permit as follows:

- Modify time limit of event from event closure at 12 a.m. to 2 a.m.
- Increase days of events from Saturday only to Thursday through Sunday
- Increase capacity from the current 200-person limitation to 500 persons

Staff has not had adequate time to review this request and recommends any entertainment permit modification occur through a public hearing at a later date after all impacts of the modification have been fully evaluated.

ENVIRONMENTAL REVIEW:

A determination was made by the City Council on July 21, 2022 that the project will not have a significant impact on the environment and adopted a Negative Declaration for this project. A 20-day review period for the Mitigated Negative Declaration commenced on July 7, 2022 and ended July 27, 2022. The proposed project consists of the operation, licensing and minor alteration of an

existing location involving no expansion of existing or former commercial use on the property. The subject site has been used for residential and equestrian related uses and no expansions of floor area are proposed.

FISCAL IMPACT:

As conditioned, the proposed Entertainment Permit would not have any fiscal impacts upon the City of Coachella finances. There are no additional fees collected for this type of business other than normal licensing fees for the business.

ALTERNATIVES:

- 1) Adopt Resolution No. 2023-51 approving a 36-month renewal for Entertainment Permit No. 22-02 with the staff recommendations.
- 2) Adopt Resolution No. 2023-51 approving a 36-month renewal for Entertainment Permit No. 22-02 with the staff recommendations with new or modified conditions of approval.
- 3) Make findings and Deny the renewal of Entertainment Permit No. 22-02.
- 4) Continue the item and provide staff direction.

RECOMMENDED ALTERNATIVE

Based on the analysis contained herein and the findings listed below, staff is recommending that the City Council approve Alternative #1. The applicant has demonstrated to be a good event operator by complying with the conditions of approval of the entertainment permit. The applicant regularly communicates with City staff about permitted events and has adjusted operations when requested by staff. The applicant consulted with an acoustical consultant to reconfigure the source of noise to reduce any noise impacts to nearby residences.

Attachments:

1. Resolution No. 2023-51 36-Month Renewal of Entertainment Permit No. 22-02
Exhibit A Conditions of Approval
2. Vicinity Map
3. Project Description
4. Site Plan
5. Noise Analysis – LSA Associates
6. Existing Photos