

**RESOLUTION NO. PC 2024-18**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COACHELLA, CALIFORNIA APPROVING CONDITIONAL USE PERMIT NO. 382 TO ALLOW A 2,625 SQUARE FOOT CONVENIENCE STORE WITH ALCOHOL SALES (ABC LICENSE TYPE 20 – OFF-SALE BEER AND WINE) WITHIN 700 FEET OF PROPERTY USED FOR RESIDENTIAL PURPOSES (TO THE SOUTH AND EAST OF THE PROPOSED CONVENIENCE STORE), IN AN EXISTING COMMERCIAL BUILDING LOCATED AT 50-223 CESAR CHAVEZ STREET, SUITE “B102” (APN 768-050-003); A & G Mart, APPLICANT.**

**WHEREAS**, A & G Mart filed an application for Conditional Use Permit No. 382 (CUP 382) to allow a 2,625 square foot convenience market/store with liquor sales (ABC License Type 20 – Off-Sale Beer and Wine) within 700 feet of property used for residential purposes (to the east and south of the proposed convenience store) in an existing commercial building located at 50-223 Cesar Chavez Street, Suite “B102”; Assessor’s Parcel No. 768-050-003 (“Project”); and,

**WHEREAS**, on July 17, 2024, the Planning Commission of the City of Coachella held a duly noticed public hearing on the subject application, considered written and oral comments, and facts and evidence presented by the applicant, City staff, and other interested parties; 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 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 adequate in size and shape to accommodate the proposed development; 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**, 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

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 exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15332 as an infill development because the project involves development on a site under five acres where the parcel complies with General Plan policies and zoning regulations, and where the project site has no value as habitat for endangered, rare or threatened species, and where the site can be adequately served by all required utilities and public services, and the project will not result in any significant effects relating to traffic, noise, air quality, or water quality. The subject site is surrounded on all sides by urban uses and has no suitable habitat for endangered species. There are existing utilities and public services available to serve the site. As proposed, the project will comply with General Plan policies and zoning code regulations and the project does not result in any significant traffic, air quality, or water quality impacts. As such, no additional environmental review is required.

**Section 3.** Conditional Use Permit

With respect to Conditional Use Permit (CUP) 382, the Planning Commission finds as follows for the proposed convenience store:

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 restaurant use with alcohol sales is within the Neighborhood Center land use designation according to the General Plan 2035, which allows the intended physical character to provide a comfortable, walkable environment for shoppers and diners and envisions neighborhood commercial uses mixed with high-density residential uses. The liquor sales establishment will be part of a convenience store that will provide for the sale of grocery items to serve adjoining residents.
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-N' (Neighborhood Commercial) which permits grocery stores subject to obtaining a conditional use permit to sell alcoholic beverages. The proposed use is on a major commercial thoroughfare street within a multi-tenant site that 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 tenant space is within an existing commercial center with all infrastructure available on-site for the proposed grocery convenience store. Additionally, there is adequate ingress and egress into and out of the existing center to maintain the adequacy of the traffic circulation system serving the proposed use.
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 in conjunction with a convenience grocery store with limitations on hours of operation. The applicant operated similar stores in the Coachella Valley and has provided a letter of support from the Desert Hot Springs Police confirming that the operator is able to maintain a safe facility. 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 minimal interference with traffic on surrounding public streets or roads, because all approaches are in full use for the patrons of the commercial center and no alterations are proposed as part of the request to sell and/or serve alcohol at the existing 944 square foot restaurant and no negative effects exists.
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). The project involves minor alterations to interior partition walls, and existing electrical, plumbing, and mechanical systems within an existing commercial building.
7. The establishment provides a substantial benefit to the immediate neighborhood not provided by another existing establishment within the restricted distance as the business would provide food, drink, and convenience items in walking distance of nearby residences. The business would provide a significant quantity of fresh produce and other fresh foods options.
8. No greater than five percent of the sales floor area or one thousand (1,000) square feet, whichever is less, will be used for the display or sale of alcoholic beverages. The project is conditioned to ensure that the display area for alcohol does not exceed the limits of the Coachella Municipal Code and requires that the Development Services Director conduct an inspection of the display prior to business operation.

**Section 5.** 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 recommends to the City Council approval Conditional Use Permit (CUP 382) for the A & G Mart Type 20 Off-Sale Beer and Wine and subject to the Conditions of Approval as set forth in “Exhibit A” and floor plan set in “Exhibit B.”

**PASSED APPROVED and ADOPTED** this 17<sup>th</sup> day of July 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Jason Hernandez  
Planning Commission Chairperson

**ATTEST:**

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Gabriel Perez  
Planning Commission Secretary

**APPROVED AS TO FORM:**

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Carlos Campos  
City Attorney

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

**I HEREBY CERTIFY** that the foregoing Resolution No. PC2024-18 was duly adopted by the Planning Commission of the City of Coachella at a regular meeting thereof, held on this 17<sup>th</sup> day of July 2024 by the following vote of the Planning Commission:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Gabriel Perez  
Planning Commission Secretary