

RESOLUTION NO. 2024-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COACHELLA APPROVING CHANGE OF ZONE NO. 24-01 TO CHANGE THE ZONE FROM REGIONAL COMMERCIAL (R-C) TO REGIONAL COMMERCIAL-PLANNED UNIT DEVELOPMENT (R-C-PUD); TENTATIVE TRACT MAP NO. 38429 THAT PROPOSES TO SUBDIVIDE THE PROJECT SITE INTO 111 SINGLE FAMILY LOTS; CUP NO. 376 THAT PROPOSES TO UTILIZE THE PROVISIONS OF SECTION 17.38 (PLANNED UNIT DEVELOPMENT); ARCHITECTURAL REVIEW NO. 22-11 FOR THE REVIEW OF THE PROPOSED ELEVATIONS AND FLOOR PLANS AND ENVIRONMENTAL ASSESSMENT NO. 22-04 THAT WAS PREPARED TO ADDRESS THE DIRECT, INDIRECT AND CUMULATIVE ENVIRONMENTAL EFFECTS OF THE PROPOSED PROJECT ON A 19.02 ACRE SITE LOCATED WEST OF VAN BUREN STREET, SOUTH OF AVENUE 51, NORTH OF AVENUE 52; APN 779-360-001; JOSEPH RIVANI, GLOBAL INVESTMENT AND DEVELOPMENT, APPLICANT

WHEREAS, Joseph Rivani of Global Investment and Development filed applications on a vacant 19.2 acre project site located west of Van Buren Street, south of Avenue 51 and north of Avenue 52; APN #'s 779-360-001 and,

WHEREAS, the City has processed said application pursuant to the Subdivision Map Act (commencing with Section 66400, Title 7 of the Government Code), Title 16 of the Coachella Municipal Code, and the California Environmental Quality Act of 1970 as amended; and,

WHEREAS, on April 17, 2024, the Planning Commission conducted a duly noticed public hearing on CZ No. 24-01, TTM No. 38429, AR No. 22-11, CUP No. 376 and EA No. 22-04 in the City Council Chambers, 1515 6th Street, Coachella, California; and,

WHEREAS, on May 8, 2024, the City Council conducted a duly noticed public hearing on CZ No. 24-01, TTM No. 38429, AR No. 22-11, CUP No. 376 and EA No. 22-04 in the City Council Chambers, 1515 6th Street, Coachella, California; and,

WHEREAS, 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 the Coachella Municipal Code, and the attendant applications for a Change of Zone, Tentative Tract Map, Conditional Use Permit, Architectural Review to allow 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 the 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, pursuant to the provisions of the California Environmental Quality Act, an initial study was prepared that determined that the project would not have a significant effect on the environment; and,

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

WHEREAS, the City Council of the City of Coachella finds that Tentative Tract Map No. 38429 is in compliance with the Subdivision Map Act and the City's Subdivision Ordinance.

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. Compliance with the California Environmental Quality Act. The City Council has reviewed and considered the information contained in the Mitigated Negative Declaration Initial Study for Environmental Assessment No. 22-04, comments received, and other documents contained in the administrative record for the Project. The City Council finds that the Mitigated Negative Declaration, Initial Study and administrative record contain a complete and accurate reporting of the environmental impacts associated with the Project. The City Council finds that the Mitigated Negative Declaration, Initial Study, and Mitigation Monitoring and Reporting Program (MMRP) as provided in "Exhibit A" have been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Coachella's Local CEQA Guidelines.

SECTION 3. Findings of Environmental Impacts. Based on the whole record before it, including the Mitigated Negative Declaration, Initial Study, the administrative record and all other written and oral evidence presented to the City Council, the City Council finds that all environmental impacts of the Project as outlined in the Mitigated Negative Declaration and Initial Study can be mitigated to a level of less than significant. The City Council further finds that there is no substantial evidence in the administrative record supporting a fair argument that the Project may result in any significant environmental impacts. The City Council finds that the Mitigated Negative Declaration contains a complete, objective, and accurate reporting of the environmental impacts associated with

the Project and reflects the independent judgment and analysis of the City Council.

SECTION 4. Recommendation Regarding Adoption of the Negative Declaration. The City Council hereby finds adequacy in the environmental review documents and recommends that the City Council adopt the Mitigated Negative Declaration.

SECTION 5. Tentative Tract Map, Conditional Use Permit Architectural Review Findings

With respect to Tentative Tract Map No. 38429, Conditional Use Permit No. 376 and Architectural Review 22-11, the City Council finds as follows for the proposed for the 192 unit single-family residential development project:

1. The proposed subdivision map, change of zone, conditional use permit and architectural review are consistent with the General Plan and the City of Coachella Official Zoning Map governing the site. The subject site is a 19.2-acre vacant parcel with adequate access and lot dimensions to allow for the intended single-family residential lot development in a manner consistent with the Regional Retail District land use designation of the General Plan and Regional Commercial-Planned Unit Development Zoning Designation. The project will substantially comply with the General Plan 2035 document which calls for a higher density residential development encouraging a predominance of small-lot, single-family residential neighborhoods.
2. The site is physically suitable for the type of development and the proposed density. The proposed subdivision will provide adequate sized lots for new single-family residential lots. All proposed lots will have adequate dimensions, and ingress and egress to accommodate the proposed 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. The initial environmental study prepared for this project did not identify any biological resources on the site or in the vicinity of the project that would be impacted by the proposed project.
4. The design of the subdivision and type of improvements are not likely to cause any serious public health problems. As proposed, the proposed project would allow for single-family residential lots with a minimum lot size of 4,500 square feet. The adjoining uses are consistent with the proposed use of the property as a single-family detached subdivision.
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 project is located on the west side of Van Buren Avenue, south of Avenue 51, north of Avenue 52.
6. The design of the subdivision will provide, to the extent feasible, for future passive or natural heating or cooling opportunities. The proposed subdivision will provide adequate

sites for new homes with southern exposure, 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 Division.

7. Staff prepared an initial study for the Encanto Project applications that determined that that the proposed project will not create any new potentially adverse environmental effects. As such, the project's environmental effects will not be significant subject to the project's compliance with the following mitigation measures, as are applicable to the subject site:

SECTION 6. 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 Corporate Yard. The City Clerk is the custodian of the record of proceedings.

SECTION 7. Execution of Resolution. The Mayor shall sign this Resolution and the City Clerk shall attest and certify to the passage and adoption thereof.

SECTION 8. City Council Approval Based on the foregoing recitals and findings above, and the written and oral comments, facts and evidence presented, the City of Coachella City Council hereby approves of Tentative Tract Map No. 38429 "Exhibit B", Conditional Use Permit No. 376, and Architectural Review No. 22-11 for the Encanto development as set forth in "Exhibit D" and subject to the Conditions of Approval as set forth in "Exhibit C" and Planned Unit Development Standards established in "Exhibit E."

PASSED APPROVED and ADOPTED at a meeting of the City Council of the City of Coachella on this 8th day of May 2024.

AYES:

NOES:

ABSENT

ABSTAIN

Steven A. Hernandez, Mayor
City of Coachella

ATTEST:

Angela M. Zepeda, City Clerk
City of Coachella

APPROVED AS TO FORM:

Carlos L. Campos, City Attorney
City of Coachella