

RESOLUTION NO. 2025-09

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COACHELLA, CALIFORNIA CONDITIONALLY APPROVING CONDITIONAL USE PERMIT NO. 391 TO ALLOW LIQUOR SALES (ABC TYPE 41, ON-SALE BEER AND WINE– EATING PLACE) WITHIN AN EXISTING 1,680 SQUARE-FOOT RESTAURANT LOCATED AT 83103 AVENUE 48 STE 1A, AND DETERMINING THAT THE PROPOSED PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES SECTION 15301 (EXISTING FACILITIES)

WHEREAS, on April 15th, 2025, the applicant Teresa Leon Huerta, filed an application for a Conditional Use Permit No. 391 (CUP No. 391) to allow for a Type 41 (On-Sale Beer and Wine – Eating Place) liquor license for the existing Taqueria Allende 2 restaurant located at 83103 Avenue 48 Ste 1A (APN 612-220-010); and

WHEREAS, the establishment has a land use designation of Neighborhood Center pursuant to the City of Coachella General Plan; and

WHEREAS, the establishment has a zoning designation of Neighborhood Commercial (C-N) pursuant to the City of Coachella Municipal Code; and

WHEREAS, the Neighborhood Commercial zoning designation allows for alcohol sales with the approval of a conditional use permit pursuant to Section 17.74.05 of the City of Coachella Municipal Code; and

WHEREAS, the proposed use is consistent with and intended to implement the vision of the City's General Plan and the Municipal Code pertaining to neighborhood-scale retail, and a diverse economy and jobs center; and

WHEREAS, the proposed use is consistent with and intended to implement the vision of the Neighborhood Center General Plan by providing work and accessible goods to neighboring residents; and

WHEREAS, the proposed project is exempt from the California Environmental Quality Act (CEQA) Guidelines Section 15301 – Existing Facilities, as amended; and,

WHEREAS, a notice of a public hearing to consider the Conditional Use Permit application (CUP No. 391) was issued in accordance with Coachella Municipal Code Section 17.74.010.G, inclusive of the publication on May 25, 2025, of a legal public hearing notice published in the Desert Sun, the City's newspaper of record, and the mailing of a public hearing notice to a certified list of property owners within 300 feet of the subject properties on May 21, 2025; and

WHEREAS, on June 4th, 2025, 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, at the conclusion of the public hearing and following discussion, the Planning Commission approved this Resolution for the conditional approval of the Type 41 liquor license for Taqueria Allende 2 (CUP No. 391) as conditioned, with the motion vote outcome specified in the meeting minutes for the June 4th, 2025, Planning Commission meeting.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Coachella, California hereby resolves, finds, and determines 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. The Planning Commission has independently reviewed the Notice of Exemption and the administrative record for the Proposed Use, including all oral and written comments received during the public hearing, the staff report, and all attachments thereto, which are all incorporated herein by reference and are on file with the Development Services Department for the City of Coachella, and the Planning Commission finds that:

The City of Coachella, as Lead Agency, has reviewed the Project pursuant to: 1) CEQA Guidelines Section 15002(k) – General Concepts, outlining the three-step process for determining which document to prepare for a project subject to CEQA; and 2) CEQA Guidelines Section 15061 – Review for Exemption, which provides procedures for determining if a project is exempt from CEQA. It can be seen with certainty that implementing the Project would not cause a significant adverse effect on the environment because the Project involves the issuance of a Conditional Use Permit for a liquor license to an existing restaurant establishment. This action involves a negligible expansion of use. Therefore, the Project is categorically exempt from CEQA pursuant to CEQA Guidelines Section 15301 – Existing Facilities.

Section 3. Conditional Use Permit Findings. Based upon the evidence presented at the hearing, including the staff report and written and verbal testimony, which are all incorporated herein by reference, the Planning Commission hereby finds that:

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 restaurant that will serve nearby 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 the zoning designation of 'C-N' (Neighborhood Commercial) which permits restaurants subject to obtaining a conditional use permit to sell alcoholic beverages. The proposed use is located within an existing building 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 existing restaurant use. 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 restaurant use with limitations on hours of operation. 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 1,680 square foot restaurant and no negative effects exists. Further, there is an existing striped parking lot available for use for patrons.
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 15301). The project involves the issuance of a liquor license. The issuance of the liquor license will involve a negligible expansion of the use. Therefore, the project is categorically exempt from CEQA.
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 and drink items in walking distance of nearby residences. The business would provide a significant quantity of fresh vegetables 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 4. Planning Commission Approval. Based on the foregoing, the Planning Commission hereby **CONDITIONALLY APPROVES** the Conditional Use Permit application (CUP No. 391) and finds that the Project is exempt from CEQA pursuant to CEQA Guidelines Section 15301 – Existing Facilities. The Applicant shall demonstrate compliance with ALL Conditions of Approval, as set forth in “Exhibit A” and “Exhibit B” of this Resolution. Failure to demonstrate compliance with these conditions of approval may result in the delay of the Proposed Use or the rescinding of the City of Coachella’s conditional use permit approval. Where the term “Applicant” is used in any condition of approval, this term shall also apply to the Property Owner, any developer, or any successor in the interest of the Applicant. It is the Applicant’s or Applicant’s successor in interest responsibility to fully comply with the conditions of approval unless subsequently modified in accordance with the City’s required processes and procedures.

PASSED APPROVED and ADOPTED this 4th day of June 2025 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Isela Murillo
Planning Commission Chairperson

ATTEST:

Kendra Reif
Planning Commission Secretary

APPROVED AS TO FORM:

City Attorney

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

I HEREBY CERTIFY that the foregoing Resolution No. PC 2025-09 was duly adopted by the Planning Commission of the City of Coachella at a regular meeting thereof, held on this 4th day of June 2025 by the following vote of the Planning Commission:

AYES:

NOES:

ABSENT:

ABSTAIN:

Kendra Reif
Planning Commission Secretary