



**STAFF REPORT**  
**10/23/2019**

**TO:** Honorable Mayor and City Council Members

**FROM:** Luis Lopez, Development Services Director

**SUBJECT:** Resolution No. 2019-58, Appeal of Planning Commission's denial of Time Extension Request for Tentative Tract Map No. 31978 (Bellissima) for the subdivision of approximately 38 acres into 158 single-family residential lots located at the south east corner of Avenue 53 and Frederick Street. Coachella Investments, LLC, Appellant.

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**STAFF RECOMMENDATION:**

Staff recommends that the City Council overturn the decision of the Planning Commission and approve the third time extension for the remaining phases of Tentative Tract Map No. 31978 (Bellissima), by adopting the attached draft Resolution No. 2019-58 approving a third and final 12-Month Time Extension for Tentative Tract Map No. 31978 for the subdivision of approximately 38 acres into 158 single-family residential lots located at the southeast corner of Avenue 53 and Frederick Street.

**BACKGROUND:**

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. On October 13, 2004 the City Council approved Resolution No. 2006-79 which approved the original project including a Mitigated Negative Declaration pursuant to CEQA guidelines (Environmental Assessment No. 04-13) and Tentative Tract Map No. 31978. On June 20, 2006 the first phase of Tentative Tract Map 31978 was recorded which included 49 single family lots which were built and sold. Between 2008 and 2014, Tentative Tract Map 31978 was eligible for several automatic time extensions granted by the State of California.

In 2016 the City Council was reviewing the first 12-month time extension request for this project. Because the original subdivision was approved in the early 2000's, staff was directed to schedule a study session to discuss all of the City's expiring tentative subdivision maps and develop policies for these expiring tentative maps in light of the 2015 General Plan update. After the City Council denied the first time extension, the owners filed a lawsuit against the City, wherein the parties ultimately reached a settlement that allowed the subdivider to obtain the time extension and the City agreed to not impose new conditions of approval upon the project. In 2018 the Planning Commission granted the 2<sup>nd</sup> time extension request.

**DISCUSSION/ANALYSIS:**

The current landowners of the Bellissima subdivision property are requested their 3<sup>rd</sup> and final time extension on the tentative subdivision map. On August 7, 2019 the Planning Commission voted 3/0 (one Abstention) to deny the request for 12-month Time Extension for Tentative Tract Map No. 31978. There was one Commissioner whom abstained, two commissioners absent, and the Alternative Commissioner voted. The findings of the Planning Commission in denying the request, was that the project does not fully comply with the City’s General Plan 2035 in that there will be no public park within ¼ mile for at least 75 % of the residents. Additionally, the block distances and minimum community entrance policies of the General Plan are not fully met with the original subdivision design because the project lacks a community entrance on Avenue 53 and some of the interior streets are greater than 800 feet in length. Notwithstanding the project’s inconsistency with the General Plan, the Commission voted to deny the request.

**DISCUSSION/ANALYSIS:**

Environmental Setting:

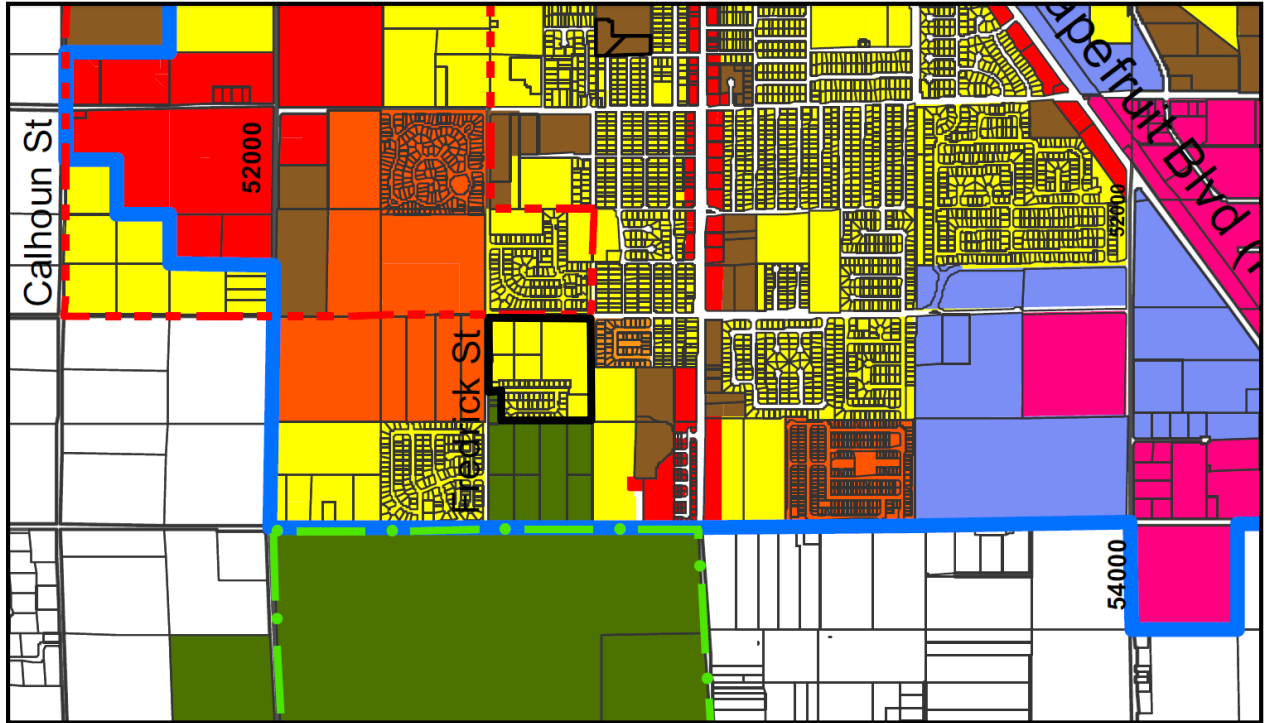
The proposed project is located on 38 acres of land that has been partially developed with the first phase of the subdivision, in the R-S (Single Family Residential) Zone and is the remaining unrecorded portions of Tract No. 31978.

The site is designated “Suburban Neighborhood” on the 2035 Coachella General as illustrated below:



Surrounding properties to the north, south, east and west are also designated “Suburban Neighborhood.”

The site is zoned R-S (Residential single Family) as illustrated below:



Surrounding properties to the north are R-S (Residential Single Family), east and west are R-PUD (Residential Planned Unit Development) and south is A-T (Agricultural Transition).

Environmental Review:

On October 13, 2004, the City Council adopted a Mitigated Negative Declaration as part of Environmental Assessment No. 04-13 and approved Tentative Tract Map 31978. There are no changes to the proposed subdivision as a result of this time extension request, that would result in any new environmental effects. Similarly, the vicinity has not experienced any major change in the built environment, except that the Tierra Bonita community to the north is now built out and had been previously anticipated as a single family residential community. Several other large subdivisions on the west side of Frederick have remained vacant and are waiting for the residential market to return to this part of the City. Therefore, no further environmental review is required for the proposed 12 month time extension.

**ALTERNATIVES:**

- 1) Approve the 3<sup>rd</sup> and final time extension for Tentative Tract Map No. 31978
- 2) Deny the time extension request.
- 3) Continue this item and provide staff with direction.

**FISCAL IMPACT:**

There are no fiscal impacts associated with a 12-month time extension for Tentative Tract Map No. 31978 in that the project will be required to pay all normal user fees for cost recovery, and all future development will pay applicable permit fees and development impact fees.

**RECOMMENDED ALTERNATIVE(S):**

Staff recommends No. 1 as noted above.

Attachments:      Resolution No. 2019-58  
                            Aerial Photo  
                            TTM 31978 Map Exhibit  
                            Appeal Request