

RESOLUTION NO. PC 2024-16

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COACHELLA, CALIFORNIA RECOMMENDING TO THE CITY COUNCIL APPROVAL OF CONDITIONAL USE PERMIT NO. 380 TO ALLOW THE BAR USE AND THE ON-SALE BEER, WINE, AND DISTILLED SPIRITS SERVICE FOR THE 5,867 SQUARE FOOT VMP NIGHT CLUB AND EVENT CENTER OPERATING UNTIL 10 P.M. MONDAY THROUGH WEDNESDAY AND UNTIL 2:00 A.M. THURSDAY TO SUNDAY (ABC LICENSE TYPE 48 – ON SALE GENERAL – PUBLIC PREMISES), IN AN EXISTING COMMERCIAL BUILDING LOCATED AT 49974 CESAR CHAVEZ STREET, (APN 603-310-005); REYES RAMIREZ HERNANDEZ, APPLICANT.

WHEREAS, Reyes Ramirez Hernandez, with associates Ilse Alicia Sigler and Samantha Aaliyah Hernandez, filed an application for Conditional Use Permit No. 380 (CUP 380) to allow a 5,867 square foot bar, nightclub, and event center with service of beer, wine, and distilled spirits (ABC License Type 48 – On Sale General – Public Premises) in an existing commercial building located at 49974 Cesar Chavez Street; Assessor’s Parcel No. 603-310-005 (“Project”); and,

WHEREAS, the Planning Commission conducted a duly noticed public hearing on CUP No. 380 and also consideration of Entertainment Permit No. 24-01 on September 4, 2024 at 1515 6th Street, Coachella, California regarding the proposed Project; 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 Project is permitted pursuant to Chapter 5.24 and Chapter 17.74 of the Coachella Municipal Code.

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 bar, nightclub, and event center with on-sale beer, wine, and distilled spirits; 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 does hereby recommend approval of Conditional Use Permit No. 380, subject to the findings and conditions of approval listed below.

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 categorically exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act as an “Existing Facilities” project (CEQA Guidelines, Section 15301) as the proposed project and on-sale service of alcohol consists of the operation, licensing, and minor alteration of an existing private commercial structure involving negligible or no exterior expansion.

Section 4. Conditional Use Permit Findings

With respect to Conditional Use Permit No. 380, the Planning Commission finds as follows for the proposed on-sale alcohol request:

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 bar, nightclub, and event center use with alcohol sales is within the Downtown Center land use designation according to the General Plan 2035, which intends to provide convenient access and parking for motorists while also providing an attractive shopping environment. The on sale offerings of beer, wine and distilled spirits at VMP Nightclub and Event Center will provide a unique service to the Downtown Center and citywide that accomplishes the goals of the General Plan. The event center would help further the city’s goal to make Coachella a destination for tourism and entertainment by providing an entertainment attraction that is expected to provide entertainment for residents and bring in tourists from outside the city.
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 ‘DT-PV’ (Downtown) which permits bar and entertainment uses with alcohol service subject to obtaining a conditional use permit to sell alcoholic beverages. The proposed use is located on Cesar Chavez Street and 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 building with existing infrastructure available on-site for the bar, nightclub, and event center and an existing commercial parking lot.
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. The Riverside County Sheriff reviewed the conditions of approval for this project that pertain to security, and indicated that there are no concerns about the operations of this establishment, including service of on-sale beer, wine, and distilled spirit service. As such, there are no anticipated 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 as the commercial center that the subject business is located in is already existing and traffic and vehicular approaches were already considered and approved by the City Engineer and the Planning Commission. 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) as the proposed project and on-sale service of alcohol consists of the operation, licensing, and minor alteration of an existing private commercial structure involving no exterior expansion.
6. Although the VMP Nightclub and Event Center does fall within seven hundred (700) feet, measured from property line to property line, of residential uses, the benefit of the proposed bar, nightclub, and event center outweighs the distance restrictions and the public convenience or necessity is justified to issue the on-sale beer, wine and distilled spirits license as the proposed bar, nightclub, and event center will offer a unique performance and entertainment venue that would be an entertainment destination for Coachella residents and to draw visitors from around the region. The project is on a major corridor and in the Downtown Center designation, which is envisioned to have such entertainment uses. The nearest residence is approximately 680 feet southwest from the project and is separated by Cesar Chavez Street and Avenue 50. The subject property is not within a 700 foot distance of a religious use.
7. Although the VMP Nightclub and Event Center establishment does fall within seven hundred (700) feet, measured from property line to property line, of an existing liquor on-sale use (Santa Fe-Restaurant, Pizza Hut restaurant, Carnitas La Piedad restaurant, La Noria Fonda Cenduria and Café restaurant), and residential property west of the subject property, the benefit of the proposed bar, nightclub, and event center outweighs the distance restrictions and the public convenience or necessity is justified to issue the

(Type 48 On-Sale General – Public Premises) alcohol license as the bar, night club, and event center will offer a unique amenity and entertainment venue in the downtown area available to Coachella residents. A condition of approval for CUP 380 requires that not greater than 20 percent of the gross floor area or 1,500 sq. ft. whichever is less is dedicated to a bar or storage, sales, and display of liquor/alcoholic beverages and said area is separated by physical barriers from the main seating area for serving meals.

8. The bar, nightclub and event center establishment at the location will not adversely affect the economic welfare of the nearby community, but rather would expand the availability of jobs and would serve as an anchor for the commercial center, which would also provide jobs and increase the City's sales tax revenues.
9. The exterior appearance of the structure of the proposed establishment will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight or deterioration, or substantially diminish or impair the property values within the neighborhood. The business is located in an existing commercial center that was approved under Architectural Review.

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 recommends approval of Conditional Use Permit No. 380 subject to and amended by conditions of approval in “Exhibit A.”

PASSED APPROVED and ADOPTED this 4th of September 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Jason Hernandez
Planning Commission Chairperson

ATTEST:

Gabriel Perez
Planning Commission Secretary

APPROVED AS TO FORM:

Carlos Campos
City Attorney

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

I HEREBY CERTIFY that the foregoing Resolution No. PC2024-16 was duly adopted by the Planning Commission of the City of Coachella at a regular meeting thereof, held on this 4th of September 2024 by the following vote of the Planning Commission:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gabriel Perez
Planning Commission Secretary