

RESOLUTION NO. 2021-52

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COACHELLA APPROVING TENTATIVE PARCEL MAP NO. 37758 AND VARIANCE NO. 21-05 TO SUBDIVIDE APPROXIMATELY 9 ACRES INTO TWO PARCELS FOR FUTURE DEVELOPMENT AND ALLOW A LOT SIZE LESS THAN 5 ACRES IN THE AGRICULTURAL TRANSITION (A-T) ZONE. THE SUBJECT PROPERTY IS LOCATED ON THE NORTHEAST CORNER OF VAN BUREN STREET AND 51ST AVENUE. APPLICANT: GREGORY C. CERVANTES.

WHEREAS, Gregory C. Cervantes filed Tentative Parcel Map No. 37758 and Variance 21-05 to subdivide approximately 9 acres (APN 768-050-001) into two (2) parcels, located on the northeast corner of Van Buren Street and 51st Avenue, more particularly described in Exhibit “A” attached hereto and made a part hereof; and

WHEREAS, the City has processed said application pursuant to the Subdivision Map Act (commencing with Section 64600, Title 7 of the Government Code and the California Environmental Quality Act of 1970) as amended; and

WHEREAS, on July 7, 2021, the Planning Commission of the City of Coachella held a duly noticed and published public hearing, considered the Tentative Parcel Map as presented by the applicant, and recommended approval of Tentative Parcel Map 27758 and Variance No. 21-05 to the City Council.

WHEREAS, on August 25, 2021, the City Council of the City of Coachella held a duly noticed and published public hearing, considered the Tentative Parcel Map as presented by the applicant, and considered Tentative Parcel Map 27758 and Variance No. 21-05.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Coachella, California does hereby approve Tentative Parcel Map 37758 as set forth in Exhibit A and Variance No. 21-05 with the findings and conditions listed below.

Findings for Tentative Parcel Map 37758

1. The proposed map and design of improvements are consistent with the General Plan, the City of Coachella Official Zoning Map and any specific plan governing the site. The proposed subdivision is within a land use designation of Neighborhood Center according to the General Plan 2035 Land Use Element. The subdivision is consistent with the development intensity permitted by the Neighborhood Center Land Use category. Tentative Parcel Map (TPM) 37758 is generally in compliance with the standards of the Zoning Ordinance with respect to the R-E (Residential Estate) and the A-T (Agricultural Transition) Zones, including minimum lot size, lot depth and minimum lot width. TPM 37758 is inconsistent with the minimum lot size of 5 acres in the A-T (Agricultural Transition) Zone for the proposed 3.7 acre “Remainder” lot and is subject to approval of Variance 21-05.

2. The site is physically suitable for the future commercial and residential development and density. The proposed subdivision will provide adequate sized lots for future commercial and residential development. All proposed lots will have adequate dimensions, and ingress and egress to accommodate future 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. All drainage from increased impervious material on the site will be contained on site for a 100-year storm event, as required by City regulations. As such there would be no impact to the Coachella Valley Whitewater Channel.
4. The design of the subdivision and type of improvements are not likely to cause any serious public health problems. The proposed subdivision would allow for future development of commercial and residential uses. All future development would be reviewed for compliance with applicable California Building Code regulations prior to issuance of any building permits.
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 proposed subdivision would create two lots for future development with adequate street frontage, access, and utility connections required to all properties. There are no known easements that would conflict with the proposed subdivision.
6. The City of Coachella has determined that the proposed project is exempt from environmental review under Section 15183 of the California Environmental Quality Act (CEQA) Guidelines. This exemption applies to projects which are consistent with the development density established by existing general plan policies for which an EIR was certified shall not require any additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. The project satisfies the above criteria and as such, no environmental review is required.

Findings for Variance No. 2021-05

1. That the strict application of the provisions of this chapter would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the chapter as the subject site is an in-fill parcel surrounded by largely single-family residential uses and the applicant requests to subdivide the property into two parcels consistent the General Plan Update 2035.
2. That there are special circumstances applicable to the subject property such as size, shape, topography, location or surroundings, that do not apply generally to other property in the same zone and vicinity. The portion of the subject site with A-T (Agricultural Transition) Zoning is occupied by existing residential units and is no longer used for

agricultural production. The subject site is surrounded by R-S (Residential Single Family) and R-M (Residential Multiple Family) Zoning which permits lot sizes as small as 7,200 sq. ft.

3. That such variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity, but which, because of such special circumstances and practical difficulties or unnecessary hardships is denied to the property in question. The subject site is in a zone that is no longer envisioned in the General Plan Update 2035 and is envisioned for neighborhood center and residential multiple family uses that would be consistent with and support surrounding residential developments.
4. That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located. The variance would not be detrimental as it would support lot sizes that would remain larger than surrounding lots and the parcels created through the tentative parcel map would enable potential development consistent with the General Plan land use of Neighborhood Center.
5. That the granting of the variance will not adversely effect any element of the general plan. In fact, the proposed variance would allow a lot size supported by the General Plan 2035.

Conditions:

1. Tentative Parcel Map No. 37758 is approved for 24 months from the final date of City Council approval unless a one year time extension is requested by the applicant and approved by the Planning Commission. Exhibit A is approved herein by reference.

Environmental Compliance

2. (Advisory) Future development projects may be required to extend and connect to City public sewer and water system.

Final Map

3. The Final Map shall comply with the Subdivision Map Act and City of Coachella Subdivision Ordinance.
4. All public streets shall be dedicated to City of Coachella.
5. Prior to approval of the Final Map, the applicant shall resolve CVWD issues related to existing tile drains or irrigation mains located within the tract boundary or along the streets adjacent to the tract. If necessary, tile drains and irrigation lines shall be relocated and easement documents prepared for the new location of any such lines. The easement shall be shown on the final map. Plans for the tile drain or irrigation relocation shall be submitted to CVWD for approval and a copy of the plans shall be submitted to the City

for evaluation regarding possible conflict with City facilities. The applicant shall submit to the City approved copies of any such relocation plans.

Grading and Drainage

6. A preliminary geological and soils engineering investigation shall be conducted by a registered soils engineer, and a report submitted for review with the precise grading plan and shall include pavement recommendations. The report recommendations shall be incorporated into the precise grading plan design prior to plan approval. The soils engineer and/or the engineering geologist shall certify to the adequacy of the grading plan.
7. A precise grading/improvement plan, prepared by a California Registered Civil Engineer, shall be submitted for review and approval by the City Engineer prior to issuance of any permits. A final soils report, compaction report and rough grading certificate shall be submitted and approved prior to issuance of any building permits.
8. A Drainage Report, prepared by California Registered Civil Engineer, shall be submitted for review and approval by the City Engineer prior to issuance of any permits. The report shall contain a Hydrology Map showing on-site and off-site tributary drainage areas and shall be prepared in accordance with the requirements of the Riverside County Flood Control District. Adequate provisions shall be made to accept and conduct the existing tributary drainage flows around or through the site in a manner which will not adversely affect adjacent or downstream properties. If the design of the project includes a retention basin, it shall be sized to contain the runoff resulting from a 10-year storm event and the runoff from a 100-year storm event shall be contained within basin with shallow ponding (3.5' max.). The basin shall be designed to evacuate a 10-year storm event within 72 hours. The size of the retention basin(s) shall be determined by the hydrology report and be approved by the City Engineer. Retention basin shall be provided with a minimum of 2.00 feet sandy soil if determined to contain silt or clay materials. Maximum allowable percolation rate for design shall be 10 gal./s.f./day unless otherwise approved by the City Engineer. A percolation test for this site is required to be submitted. A combination drywell vertical drain field shall be constructed at all points where runoff enters the retention basin. Drywell & vertical drain field design shall be based on soils borings made at the proposed drywell locations after the retention basins have been rough graded. Minimum depth shall be 45-feet. A log that includes sieve analysis for each strata of the borings shall be submitted to the City Engineer for confirmation of depth of the vertical drain fields. Underground retention under the proposed parking area will be considered as an alternative to surface retention subject to the approval of the City Engineer.
9. Site access improvements shall be in conformance with the requirements of Title 24 of the California Administrative Code. This shall include access ramps for off-site and on-site streets as required.
10. Applicant shall obtain approval of site access and circulation from Fire Marshall.

11. If applicant is planning to build a wall, separate permits shall be required for wall construction. The maximum height of any wall shall be limited to six (6) feet as measured from an average of the ground elevations on either side.

Street Improvements

12. Street improvement plans prepared by a California Registered Civil Engineer shall be submitted for engineering plan check prior to issuance of encroachment permits. All street improvements including street lights shall be designed and constructed in conformance with City Standards and Specifications. Street flow line grade shall have a minimum slope of 0.35 %.
13. Applicant shall construct all off-site and on-site improvements including street pavement, curb, gutter, sidewalk, street trees, perimeter walls, perimeter landscaping and irrigation, storm drain, street lights, and any other incidental works necessary to complete the improvements. Driveways shall conform to City of Coachella standards for commercial driveways with a minimum width of 24.00 feet and curbed radius entrances.
14. A focused Traffic Analysis (TA) shall be prepared for the project by an appropriately licensed professional engineer. Prior to the preparation of the TA, the engineer shall submit a scoping letter for the TA for the City Engineer's approval. The TA shall include but not limited to identification of trip generation, traffic distribution and impact on existing transportation facilities and at time of General Plan build-out, all relevant, ingress and egress movements, lines of sight, queuing analysis, and alignment studies (preliminary signing and striping plan). Applicant shall obtain approval of site access and circulation from the Fire Marshall.
15. Applicant shall construct and dedicate the following street improvements to conform to the General Plan and/or requirements of Traffic Study.
 - 1) Van Buren Street- Public Roadway as shown on the RAC and per these comments shall include the following:
 - a. Dedication of land along northbound lane within project limits is required. This street is classified as Primary Arterial with Bicycle lanes with 94 feet of right-of-way as per City of Coachella General Plan.
 - b. Street measured at Center line to easterly curb shall have a width of 37-foot
 - c. Applicant shall construct street along Tentative Parcel Map No. 37758 frontage on Van Buren Street to the Satisfaction of the City Engineer prior to the issuance of the first COO.
 - d. Applicant shall install all sidewalk and curb and gutter transitions to uniformly connect to existing adjacent improvements and coordinate installation and/or relocation of fire hydrants, water meters, storm drain, wells, street lights and all other appurtenances as required to the satisfaction of the City Engineer.

- e. Applicant shall construct all appurtenant roadway components within project limits such as, but not limited to: curb and gutter, sidewalk, ADA ramps, Traffic control striping, legends, Traffic control signs and street name signs to the satisfaction of the City Engineer.
 - f. Applicant shall underground all existing dry utilities at southbound lane within project limits such as, but not limited to: power poles, telecommunication poles and all other existing dry utilities to the satisfaction of the City Engineer.
16. Applicant shall construct and dedicate the following streets and street improvements to conform to the General Plan and/or Traffic Study.
- 1) 51st Avenue- Public Roadway as shown on the RAC and per these comments shall include the following:
- a. Dedication of land along westbound lane within project limits is required. This street is classified as Collector with Bicycle lanes with 90 feet of right-of-way as per City of Coachella General Plan.
 - b. Street measured at Center line to northerly curb shall have a width of 35-foot
 - c. Applicant shall construct street along Tentative Parcel Map No. 37758 frontage on 51st Avenue to the Satisfaction of the City Engineer prior to the issuance of the first COO.
 - d. Applicant shall install all sidewalk and curb and gutter transitions to uniformly connect to existing adjacent improvements and coordinate installation and/or relocation of fire hydrants, water meters, storm drain, wells, street lights and all other appurtenances as required to the satisfaction of the City Engineer.
 - e. Applicant shall construct all appurtenant roadway components within project limits such as, but not limited to: curb and gutter, sidewalk, ADA ramps, Traffic control striping, legends, Traffic control signs and street name signs to the satisfaction of the City Engineer.
 - f. Applicant shall underground all existing dry utilities at southbound lane within project limits such as, but not limited to: power poles, telecommunication poles and all other existing dry utilities to the satisfaction of the City Engineer.
17. Applicant shall obtain an encroachment permit for any improvements constructed within public right-of-way including alleys.

Sewer, Water and Storm Drain Improvements

18. Sewer & Water Improvement Plans prepared by a California Registered Civil Engineer shall be submitted for engineering plan check and City Engineer approval.
19. Applicant shall construct all off-site and on-site water improvements and any other

incidental works necessary to complete the improvements. Size and location of sewer and water improvements shall be approved by the City Engineer.

General

20. Prior to issuance of any encroachment permits by the City of Coachella, the applicant shall resolve CVWD issues related to existing tile drains or irrigation mains located within the project boundary or along the streets adjacent to the property. If necessary tile drains and irrigation lines shall be relocated and easement documents prepared for the new location of any such lines. Plans for the tile drain or irrigation relocation shall be submitted to CVWD for approval and a copy of the plans shall be submitted to the City for evaluation regarding possible conflict with City facilities. The applicant shall submit to the City approved copies of any such relocation plans.
21. The developer shall submit a Fugitive Dust Control and Erosion Control plan in accordance with Guidelines set forth by CMC and SCAQMD to maintain wind and drainage erosion and dust control for all areas disturbed by grading. Exact method(s) of such control shall be subject to review and approval by the City Engineer. No sediment is to leave the site. Additional securities, in bond form, in amount of \$2,000.00 per acre of gross area, and a one time cash deposit of \$2,000.00 are required to insure compliance with this requirement. No work may be started on or off site unless the PM-10 plan has been approved, the original plans, and executed dust control agreement, are filed in the engineering department at the City of Coachella.
22. The applicant shall pay all necessary plan check, permit and inspection fees. Fees will be determined when plans are submitted to the City Engineering Department for plan check.
23. Applicant shall comply with the valley wide NPDES permit requirements including but not limited to submittal of a Preliminary WQMP for plan review accompanied by a \$3,000 plan check deposit and a Final WQMP for final approval including executed maintenance agreement. All unused plan check fees will be refunded to the applicant upon approval of the Final WQMP.

Completion

24. " As-built" plans shall be submitted to and approved by the City Engineer prior to acceptance of the improvements by the City. All off-site and on-site improvements shall be completed to the satisfaction of the City Engineer prior to acceptance of improvements for maintenance by the City.
25. Prior to issuance to of certificate of occupancy, all public improvements, including landscaping and lighting of the retention basins, and landscaped areas along the exterior streets, shall be completed to the satisfaction of the City Engineer.

PASSED, APPROVED and ADOPTED this 25th day of August 2021.

Steven A. Hernandez
Mayor

ATTEST:

Angela M. Zepeda
City Clerk

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. 2021-52 was duly adopted by the City Council of the City of Coachella at a regular meeting thereof, held on the 25th day of August 2021, by the following vote of Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

Andrea J. Carranza, MMC
Deputy City Clerk