

ORDINANCE NO. 1169

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COACHELLA APPROVING CHANGE OF ZONE (CZ 20-02) FOR THE CAIRO CASITAS PROJECT FROM C-G (GENERAL COMMERCIAL) AND R-M (MULTIPLE-FAMILY RESIDENTIA) TO CN-PD (NEIGHBORHOOD COMMERCIAL - PLANNED DEVELOPMENT OVERLAY) AND R-M (MULTI-FAMILY RESIDENTIAL – PLANNED DEVELOPMENT OVERLAY) ZONES ON 0.489 ACRES LOCATED AT 51-704 CESAR CHAVEZ STREET (APN: 778-150-001). TOMER TZADOK (APPLICANT).

WHEREAS, Mr. Tomer Tzadok has filed an application for Change of Zone (CZ 20-02) on 0.489 acres of partially-developed land located at the southeast corner of Cesar Chavez Street and Cairo Avenue in order to allow the renovation of an existing commercial/mixed-use building and the construction of a new 7,279 square foot apartments building with eight dwelling units ranging in size from 692 square feet to 1,094 square feet and detached carports; and,

WHEREAS, the Proposed Project is in full compliance with the City of Coachella General Plan's "Land Use and Community Character Element" because the site has a split designation of Neighborhood Center where a mixed-use building will be renovated, and the rear portion of the site is designated Urban Neighborhood requiring high-density residential uses, and the proposed multifamily apartments building will have a density of 30 units per acre; and,

WHEREAS, the proposed project is exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15332 as an infill development project because the project involves development on a site under five acres where the parcel complies with General Plan policies and zoning regulations, is not suitable as habitat for any sensitive plant or animal species, and can be served with public utilities; and,

WHEREAS, the Planning Commission held a duly noticed public hearing to consider Change of Zone (CZ 20-02) and the attendant entitlement requests (CUP 328 and AR 20-08) at a regular Planning Commission meeting held on October 7, 2020 wherein the applicant and the public was given an opportunity to testify, in the Coachella Permit Center located at 53-990 Enterprise Way, Coachella, California; and the Commission recommended to the City Council approval of Change of Zone (CZ 20-02); and,

WHEREAS, the City Council held a duly noticed public hearing to consider Change of Zone (CZ 20-02) and the attendant entitlement requests (CUP 328 and AR 20-08) at a special meeting held on November 18, 2020 wherein the applicant and the public was given an opportunity to testify, in the Coachella City Hall located at 1515 6th Street, Coachella, California; and,

WHEREAS, the Project is permitted pursuant to Chapters 17.20, 17.24 and 17.28 of the Coachella Municipal Code, as proposed with this Change of Zone 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 Proposed Project would not be detrimental to the general health, safety and welfare of the community.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COACHELLA, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. That the City of Coachella Official Zoning Map be amended as shown on the attached Change of Zone (CZ 20-02) marked “Exhibit A” from C-G (General Commercial) and R-M (Multiple Family Residential) To CN-PD (Neighborhood Commercial – Planned Development Overlay), and RM-PD (Multi-Family Residential – Planned Development) on 0.489 acres of land located at 51-704 Cesar Chavez Street, with the findings listed below

Findings for Change of Zone 20-02:

1. The Project is consistent with the goals, objectives, policies, and implementation measures of the Coachella General Plan 2035 in that the front portion of the site along Cesar Chavez Street has a “Neighborhood Center” land use designation which encourages mixed-use developments and the existing building has mixed commercial/residential land uses that will be preserved and renovated. The project has a neighborhood-serving commercial building with two apartments on the second floor. The site has an “Urban Neighborhood” land use designation in the rear portion of the site where high-density multifamily residential uses are required. The new apartments building will occupy the rear portion of the site and will create a residential density of 30 units per acre, which is consistent with the General Plan vision for this site.
2. The Project is in compliance with the applicable land use regulations and development standards of the City’s Zoning Code as allowed in the CN-PD and RM-PD zoning districts, with the included design criteria of the attendant development applications for the project. The Project is in compliance with the form and character policies of the applicable sections of the General Plan and the development standards of the City’s Zoning Code.
3. Every use, development of land and application of architectural guidelines and development standards shall be considered on the basis of the suitability of the site for a particular use or development intended, and the total development, including the prescribed development standards, shall be so arranged as to avoid traffic congestion, ensure the protection of public health, safety and general welfare, prevent adverse effects on neighboring property and shall be in accord with all elements of the general plan. The proposed change of zone is compatible with existing surrounding land uses that include commercial land uses and multifamily residential uses.

4. The Project will be compatible with neighboring properties with respect to land development patterns and application of architectural treatments. Surrounding properties to the project site include one-story and two-story buildings including commercial, and a mixture of single-family and multi-family residential land uses. As such, the Project will be in keeping with the scale, massing, and aesthetic appeal of the existing area and future development.
5. The proposed project is categorically exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act as “Infill Development” (CEQA Guidelines, Section 15332). The proposed project is consistent with the general plan designation and all applicable general plan policies and current zoning designations and will comply with the PD Overlay zoning regulations. The subject site is less than five acres in size and is substantially surrounded by urban uses. The project site has no value as habitat for endangered, rare or threatened species since it is improved with buildings and hardscape. The approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality, and the site can be adequately served by all required utilities and public services. As such, no environmental review is required for this project.

Section 2. SEVERABILITY. The City Council declares that, should any provision, section, paragraph, sentence or word of this ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this ordinance as hereby adopted shall remain in full force and effect.

Section 3. EFFECTIVE DATE. This ordinance amendment shall take effect thirty (30) days following after its approval and adoption by the City Council.

Section 4. CERTIFICATION. The City Clerk shall certify to the adoption of this Ordinance Amendment and shall cause it to be published and circulated in the City of Coachella.

PASSED, APPROVED, and ADOPTED this 18th day of November 2020.

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 Ordinance No. 1169 was duly and regularly introduced at a meeting of the City Council on the 18th day of November, and that thereafter the said ordinance amendment was duly passed and adopted _____, 2020.

AYES:

NOES:

ABSENT:

ABSTAIN:

Andrea J. Carranza, MMC
Deputy City Clerk

”Exhibit A”

