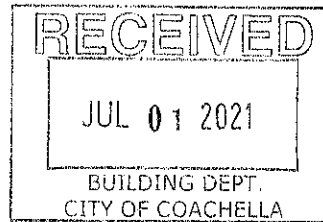


Gabriel Perez, Assistant Community Development Director
City of Coachella
53-990 Enterprise Way
Coachella, Ca 92236



Attachment 2

June 30, 2021

Re: Appeal of Planning Commission denial of a 12-Month Time Extension on CUP 305 CZ 18-07 determined on June 16, 2021

To The City Council, The Planning Commission and Gabriel,

This letter respectfully requests that the City Council for the City of Coachella approve the directing of The Planning Commission ("PC") to reconsider request of a 12-Month Time Extension on Resolution No. 2020-09/CUP 305 and Ordinance No.1146/CZ18-07 initially denied on the evening of June 16, 2021. The property connected with said CUP 305 and CZ18-07 is situated at 1639/1645/1647, 1657 and 1667 Sixth Street ("Property").

- 1) On the evening of June 16, 2021, a regular meeting, *held virtually*, occurred of the City of Coachella Planning Commission.
- 2) Beginning from nearly the start of said meeting and continuing intermittently throughout the meeting, this Planning Commission meeting sustained technical difficulties with wireless internet, video, audio, computer, cell phone issues, etc., contributing to preventing unobstructed presentation of information on hearing and non-hearing items. The Planning Commissioners like Commission Gonzalez could not come into said PC meeting via Zoom. Other participants had difficulties. Planning Commissioners and participants commented on the difficulties.
- 3) A Non-Hearing item was presented regarding a timely submitted request for 12-Month Time Extension on CUP 305 and CZ 18-07.
- 4) As one of the representatives for the Property aforementioned and individual requesting the 12-Month Time Extension of CUP 305 and CZ 18-07, I was present in the lobby of City office for Planning. Technician in the Planning Dept, Yesenia Becerril, stated during the meeting that I was having technical difficulties with phone, etc. So, when I was allowed to speak, it was nearly the only time(s) I could hear some but not all of said meeting discussion. I could not see any images. Zoom wasn't an option at the time. I did not hear the reading into the record by Gabriel Perez of an email from Ed Sapigao which I was not aware existed until after I was allowed to speak initially. I informed Yesenia Becerril that I could not hear on my cell phone. Thus, I could not offer factual rebuttal. The next day, June 17, 2021, I learned the deceptive contents (EdSapigao did not act in good faith and is responsible likely solely for lease not being signed and TI work not being completed.) in said email by receiving a copy of it from Gabriel Perez.
- 5) When the time came for discussion by the Commissioners and questions were asked by the Commissioners, I was not allowed to provide answers. One example is when Commissioner Gonzalez asked how much construction work, Tenant Improvement (TI) work had been done and neither Luis Lopez, Gabriel Perez or any of the Commissions could accurately answer. None of these individuals are known to have visited the inside of the Property buildings recently, let alone in the last year plus! I had a lab top/brief case of information evidence and pictures in hand and DOZENS on my cell phone on my person with me continuing information, records info to support the construction/TI work that has been done and lease agreement(s). I was prevented from presenting it when questions were asked for reasons, including but not limited to, the meeting was VIRTUAL, the attorney Henry Castillo refused to allow me to speak and not being in the same room with the Planning Commissioner, I they could not see me or info and I could not present the information. Evidence information of such nature as might reasonably have led to a different determination by PC!
- 6) Sometime in first part of the week of June 28-30, 2021, our anticipated tenant-- known to Scott Mabe until very recently-- interested in using some of Property to develop a restaurant type business and incorporate cannabis products was informed by City personnel that there was not a CUP (CUP 305) at all. A likely attempt to discourage him from pursuing his business at said Property. When the fact is that Appeal of PC denial was likely.
- 7) Considering the deficiency of the PC hearing process, including not limited to, technical difficulties with electronic equipment, and not being allowed and being prevented from presenting evidence I had on me while at City Planning Dept, significantly due to the fact that the PC meeting was VIRTUAL, it is requested that the appeal fee of \$2539 be refunded and this Property and me as representative not be subject to the fee. The City Council shall remember that I came before them on June 23, 2021 to request hearing and waiving of fee.
- 8) Please understand that I am willing to present information at the in-house City Council meeting to include this item agendized with information and individuals including but not limited to, Scott Mabe, the contractor of record.

Thank you,

Cheryl Thomas, Trustee