

ORDINANCE NO. 1148

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COACHELLA APPROVING CHANGE OF ZONE 18-11 FROM A-R (AGRICULTURAL RESERVE) TO C-G (GENERAL COMMERCIAL ON 14.1 ACRES OF VACANT LAND LOCATED ON THE SOUTH SIDE OF AVENUE 50 BETWEEN THE WHITEWATER CHANNEL AND THE STATE ROUTE 86 EXPRESSWAY; ALEX MUCINO, APPLICANT.
(1st Reading)**

WHEREAS, Alex Mucino filed an application for Change of Zone 18-11 on an 11,125 square foot lot at the northwest corner of Orchard Avenue and 5th Street, and attendant application Conditional Use Permit 306; Assessor’s Parcel No 763-020-021 (“Project”); and,

WHEREAS, the Planning Commission conducted a duly noticed public hearing on Change of Zone 18-11, and CUP 310 and CUP 311, and AR 18-09 on October 2, 2019 in the Permit Center, 53990 Enterprise Way, Coachella, California; and,

WHEREAS, 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 17.28 of the Coachella Municipal Code, and the attendant applications for a Conditional Use Permit to allow the Project; and,

WHEREAS, on October 2, 2019 the Planning Commission held a duly noticed public hearing at 53-990 Enterprise Way, Coachella, California to review the project, including the Change of Zone and Conditional Use Permit requests along with related environmental documents, at which time during the hearing members of the public were given an opportunity to testify regarding the project and continued the item to the October 16, 2019 meeting; and,

WHEREAS, on October 16, 2019 the Planning Commission continued the public hearing to the November 6, 2019 meeting wherein the public was given an additional opportunity to testify; 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 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, a Mitigated Negative Declaration was prepared for the project subject to the provisions of 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 to the City Council approval of Change of Zone 18-11 subject to the findings listed below and the attached Conditions of Approval for the Coachella Travel Centre Project (contained in “Exhibit A” for CUP 310 and CUP 311, and AR 18-09 and made a part herein).

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 18-11 map marked “Exhibit A” from A-R (Agricultural Reserve) to C-G (General Commercial) on property located on the south side of Avenue 50 between the Whitewater Channel and the 86-S Expressway, (Assessor’s Parcel No 778-102-008) with the findings listed below:

Findings for Change of Zone 18-05:

1. The Project is consistent with the goals, objectives, policies, and implementation measures of the Coachella General Plan 2035. The site has a Suburban Retail District land use designation that allows for the proposed development. The proposed change of zone is in keeping with the policies of the Suburban Retail District land use classification and the Project is internally consistent with other General Plan policies for this type of development.
2. The Project is in compliance with the applicable land use regulations and development standards of the City’s Zoning Code. The site plan proposes a highway commercial development. The Project complies with applicable C-G (General Commercial) and Parking regulations.
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 the 86-S Expressway, the Whitewater Channel and rural residential homes.
4. The Project will be compatible with neighboring properties with respect to land

development patterns and application of architectural treatments. The plans submitted for this Project propose a highway commercial use that is permitted in the C-G (General Commercial) zone pursuant to an approved Conditional Use Permit. Surrounding properties to the project site include agricultural land and limited single family residential land uses with scattered vacant lots. As such, the Project will be in keeping with the scale, massing, and aesthetic appeal of the existing area and future development.

5. An Initial Environmental Study recommending the adoption of a Mitigated Negative Declaration was prepared for this Project, pursuant to the California Environmental Quality Act Guidelines (CEQA Guidelines) and mitigation measures have been recommended, and agreed to by the applicant, in order to reduce the environmental effects of the project to a level of less than significant. The Project will not have any significant adverse effects on the environment.

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 shall take effect thirty (30) days after its second reading by the City Council.

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

ORDINANCE PASSED APPROVED and ADOPTED this 11th day of December 2019.

Steven A. Hernandez, Mayor

ATTEST:

Angela M. Zepeda, City Clerk

APPROVED AS TO FORM:

Carlos Campos
City Attorney

I, Angela M. Zepeda, City Clerk, City of Coachella, California, certify that the foregoing Ordinance No. 1148 was adopted by the City Council at a regular meeting held on the 11th day of December 2019, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Angela M. Zepeda, City Clerk

“Exhibit A”

Existing Zoning: A-R (Manufacturing Service)

Proposed Zoning: C-G (General Commercial)



Vicinity Map