

**RESOLUTION NO. 2020-04**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COACHELLA, CALIFORNIA APPROVING TENTATIVE PARCEL MAP NO. 36872 FOR THE SUBDIVISION OF APPROXIMATELY 275 ACRES OF VACANT LAND INTO 6 NUMBERED AND 1 LETTERED LOT FOR FINANCE AND CONVEYANCE PURPOSES ONLY. THE SUBJECT SITE IS LOCATED SOUTH OF I-10 AND VISTA DEL SUR, EAST OF TYLER STREET, SOUTH OF AVENUE 47 AND NORTH OF AVENUE 48. CVC PALM SPRINGS, LLC, APPLICANT.**

**WHEREAS**, CVC Palm Springs, LLC, has filed an application for Tentative Parcel Map No. 36872 to allow the subdivision of 275 acres of land into 6 numbered and 1 lettered lot for financing and conveyance purposes only on property located south of I-10 and Vista Del Sur, east of Tyler Street, south of Avenue 47 and north of Avenue 48; APN No's (603-130-003, 603-130-004, 603-130-009, 603-150-004, 603-150-005, 603-150-007, 603-150-008, 603-150-009, 603-150-010, 603-150-011, 603-150-012, 603-122-005); and,

**WHEREAS**, the City has processed said application pursuant to the City Subdivision Ordinance, the Subdivision Map Act (commencing with Section 66400 of the Government Code) and the California Environmental Quality Act of 1970 as amended; and,

**WHEREAS**, on June 19, 2019, the Planning Commission of the City of Coachella held a duly noticed and published Public Hearing and considered the Tentative Parcel Map as presented by the applicant, adopting the findings, conditions, and staff recommendations; and,

**WHEREAS**, in compliance with the requirements of the California Environmental Quality Act (CEQA), prior to recommending approval of Tentative Parcel Map 36872 the City Council of the City of Coachella has adopted Resolution 2020-02 certifying the Environmental Impact Report for the Vista Del Agua Project which includes the subject Tentative Parcel Map, and,

**WHEREAS**, on February 10, 2020 the City gave public notice as required under Government Code Section 66451.3 by mailing notices to property owners within at least 300 feet of the project and on February 16, 2020 published a public notice in the Desert Sun of the holding of a public hearing at which the project would be considered; and,

**WHEREAS**, the City Council has previously certified Environmental Impact Report 14-04 (SCH # 2015031003) for compliance with the California Environmental Quality Act; and,

**WHEREAS**, Tentative Parcel Map No. 36872 is in conformance with the Coachella Municipal Code, the land use pattern and development standards of the Subdivision Ordinance when viewed in conjunction with the conditions that are imposed; and,

**WHEREAS**, the City Council of the City of Coachella finds that this subdivision is consistent with the goals, objectives, policies and implementation measures of the Coachella

General Plan 2035 and meets the findings required by the Municipal Code;

**WHEREAS**, on February 26, 2020 the City Council of the City of Coachella held a duly noticed and published Public Hearing at which interested persons had an opportunity to testify in support of, or opposition to, the Tentative Parcel Map and at which time the City Council considered the Tentative Parcel Map as presented by the applicant, together with the recommendations of the Planning Commission and Development Services Director;

**NOW, THEREFORE, THE CITY COUNCIL DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:**

**SECTION 1.** The City Council of the City of Coachella does hereby approve Tentative Parcel Map 36872 subject to the findings listed below, and subject to the conditions of approval attached herein as Exhibit “A”.

**SECTION 2.** The Chairman shall sign this Resolution and the City Clerk shall attest and certify to the passage and adoption thereof.

**Findings for Approval of Tentative Parcel Map No. 36872**

1. The proposed parcel map is consistent with the goals, objectives, policies and implementation measures of the Coachella General Plan 2035 as amended and the Vista Del Agua Specific Plan which is the zoning for the affected property. The Parcel Map as prepared and conditioned is consistent with the General Plan objectives and City Zoning Ordinance. The Project will not have an adverse impact on public health, safety, and welfare because the Project is for financing and conveyance purposes only and no grading or construction is permitted. Lastly, the parcel map is consistent with the Subdivision Map Act.

2. Tentative Parcel Map 36872 is consistent with the objectives, policies, general land uses and programs specified in the Vista Del Agua Specific Plan. The parcel map is for financing and conveyance purposes only and the above-mentioned plans will not be modified, affected or implemented through the approval and recordation of this map. The map configuration has no applicability in terms of development. Subsequent Subdivision Maps for development purposes must be approved prior to the physical development of the property.

3. The site is physically suitable for the type of development proposed under Tentative Parcel Map 36872 in that the acreages and exterior boundaries of the proposed map are consistent with the site acreage and boundaries, and no densities or development is proposed or entitled through the approval of this map.

4. The design of the subdivision is not likely to cause substantial environmental damage nor substantially and avoidable injure fish or wildlife or their habitat in that the map is for financing and conveyance purposes only. No development can occur and no development entitlements are approved in conjunction with this map.

5. The design of the subdivision is not likely to cause serious health problems in that the map is for financing and conveyance purposes only. No development can occur and no development entitlements are approved in conjunction with this map.

6. The design of the subdivision will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision in that the map is for financing and conveyance purposes only. No development can occur and no development entitlements are approved in conjunction with this map. In addition, access easements are provided on the map replacing easements to be vacated prior to or in conjunction with recordation of a final map.

7. Sufficient water supply will be available to serve the proposed subdivision, in that the map is for financing and conveyance purposes only. No development can occur, and no development entitlements are approved in conjunction with this map.

8. The City Council in light of the whole record before it, including but not limited to recommendation of the Development Services Director as provided in the Staff Report dated February 26, 2020 and documents incorporated therein by reference and any other evidence within the record or provided at the public hearing of this matter, hereby finds that Tentative Parcel Map 36872 is within the scope of the project analyzed in the Vista Del Agua Final Environmental Impact Report 14-04 (FEIR) and CEQA findings and Statements of Overriding Considerations (Resolution 2020-02).

9. The evidence before the City Council supports the conclusion that Tentative Parcel Map No. 36872 be approved as does the record consisting of the staff report, case file, exhibits on display and public hearing. The proposed tentative map is for finance and conveyance purposes only. No grading and/or building permits will be issued for the parcel map, consistent with the General Plan and the City of Coachella Official Zoning Map.

**PASSED, APPROVED and ADOPTED** this 26<sup>th</sup> day of February 2020.

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Steven A. Hernandez  
Mayor

**ATTEST:**

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Angela M. Zepeda  
City Clerk

**APPROVED AS TO FORM:**

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Carlos Campos  
City Attorney

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

**I HEREBY CERTIFY** that the foregoing Resolution No. 2020-04 was duly adopted by the City Council of the City of Coachella at a regular meeting thereof, held on this 26<sup>th</sup> day of February 2020 by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Andrea J. Carranza, MMC  
Deputy City Clerk

## Exhibit "A"

### Conditions of Approval for Tentative Parcel Map 36872

1. The applicant shall defend, indemnify and hold harmless the City of Coachella, its officials, officers, employees, and agents from and against any claim, action, or proceeding against the City, its officials, officers, employees or agents to attack, set aside, void or annul any project approval or condition of approval of the City concerning this project, including but not limited to any approval or condition of approval or mitigation measure imposed by the City Council or Planning Commission. The City shall promptly notify the applicant of any claim, action, or proceeding concerning the project and the City shall cooperate fully in the defense of the matter. The City reserves the right, at its own option, to choose its own attorney to represent the City, its officials, officers, employees and agents in the defense of the matter. The applicant shall execute an indemnification agreement, in a form acceptable to the City Attorney, within five days of the effective date of this approval.
2. This map is for financing and conveyance purposes only. No development entitlements are associated with Tentative Parcel Map No. 36872.
3. The following statement must be clearly printed on the face of Tentative Parcel Map No. 36872:

**FOR FINANCE AND CONVEYANCE PURPOSES ONLY. THIS MAP DOES NOT CREATE ANY LEGAL BUILDING SITES. FURTHER APPLICATIONS ARE NECESSARY TO DEVELOP THIS PROPERTY.**

4. Tentative Parcel Map No. 36872 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 unless these timeframes are superseded by the terms of the Vista Del Agua Development Agreement.
5. Tentative Parcel Map No. 36872 must be consistent with Vista Del Agua Specific Plan.
6. No development or improvement of any portion of this map shall be permitted until a subsequent Builder's Tentative Map or Commercial Map is recorded in accordance with the applicable provisions of the Vista Del Agua Specific Plan Conditions of Approval, Subdivision Map Act, and the City of Coachella Subdivision Ordinance for the subdivision described in this map.
7. The Final Parcel Map shall comply with the Subdivision Map Act and City of Coachella Subdivision Ordinance.
8. In accordance and compliance with Condition No. 31 of the Conditions of Approval for SP 14-01 (Vista Del Agua) , developer's facilities obligations may be financed through

the use of one or more Financing Districts including, without limitation, a Community Facilities Financing District for improvements, public services, including without limitation police and fire services, fees or maintenance costs. Any Vista Del Agua specific Financing District must include a component for police and fire services. In the event that a Vista Del Agua-specific Financing District is not formed, prior to recordation of the Final Map, the applicant or successor in interest shall annex the subject property into the City's Community Facilities District (CFD 2005-01) for City Police, Fire and Paramedic services. The applicant shall cooperate with the City to include the subject property in CFD 2005-01.

9. Approval of Tentative Parcel Map No. 36872 is contingent upon City Council certification of EIR 14-04 and City Council approval of General Plan Amendment 14-01, Specific Plan No.14-01 and Change of Zone 14-01.

