

RESOLUTION NO. PC2022-23

A RESOLUTION OF THE CITY OF COACHELLA PLANNING COMMISSION APPROVING A SECOND 12-MONTH TIME EXTENSION FOR CONDITIONAL USE PERMIT NO. 321, CONDITIONAL USE PERMIT NO. 322 AND ARCHITECTURE REVIEW NO. 20-03 FOR A MINI MARKET WITH ALCOHOL SALES, AND A 12-PUMP FUELING SERVICE STATION ON A 3.1 ACRE VACANT PORTION OF LAND ON AN EXISTING PARTIALLY DEVELOPED SHOPPING CENTER LOCATED AT THE NORTHEAST CORNER OF CESAR CHAVEZ STREET AND FIRST STREET (APN 778-020-007 & 778-010-017). FOUNTAINHEAD DEVELOPMENT, APPLICANT.

WHEREAS On September 6, 2022, Fountainhead Development filed an application for a second one year time extension for Architectural Review No. 20-03, Conditional Use Permit No. 321 and Conditional Use Permit No. 322 for a mini market with alcohol sales, and a 12-pump fueling service station on a 3.1 acre vacant portion of land on an existing partially developed shopping center located at the northeast corner of Cesar Chavez Street and First Street (Assessor's Parcel No. 763-141-009 and 763-141-007); and,

WHEREAS on October 14, 2020 the City Council approved Tentative Parcel Map No. 37940, CUP No. 321, CUP No, 322 and Architectural Review No. 20-03 for the development of a 12 pump fueling station and a 2,000 square feet drive-thru coffee shop; and,

WHEREAS on November 3, 2022, the Planning Commission of the City of Coachella approved the first time extension request for Tentative Parcel Map No. 37940, Conditional Use Permit No. 321, Conditional Use Permit No. 322 and Architectural Review No. 20-03; and

WHEREAS on October 5, 2022, the Planning Commission of the City of Coachella considered the 2nd one year time extension request for Conditional Use Permit No. 321, Conditional Use Permit No. 322 and Architectural Review No. 20-03 and considered the application as presented by the applicant, findings, conditions and staff recommendations; and

WHEREAS the Applicant and members of the public were present and were afforded an opportunity to testify regarding the Project; and,

WHEREAS, the proposed project was determined to be exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15332 as an infill development because the project involves development on a site of five acres where the parcel complies with General Plan policies and zoning regulations.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Coachella, California hereby resolve as follows:

Section 1. Incorporation of Recitals

The Planning Commission hereby finds that all of the facts in the Recitals are true and correct and are incorporated and adopted as findings of the Planning Commission as fully set forth in this

resolution.

Section 2. CEQA Findings

Based upon its review of the entire record, including the Staff Report, any public comments or testimony presented to the Planning Commission, and the facts outlined below, the Planning Commission hereby finds and determines that the proposed project is categorically be exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15332 as an infill development because the project involves development on a site of five acres where the parcel complies with General Plan policies and zoning regulations.

Section 3. Findings for Extension of time for CUP 321, CUP 322 and AR 20-03:

With respect to CUP 321, CUP 322 and AR 20-03, the Planning Commission finds as follows for the proposed time extension request:

1. The proposed use will not be in conflict with, but will be in harmony with and in accordance with the objectives of the Coachella General Plan 2035, except as recognized that the project has vested rights as to the number of drive-thru restaurants and service stations previously vested under CUP No. 233 and AR No. 07-20. Staff requested direction from the Planning Commission at the June 3, 2015, Planning Commission hearing through a policy discussion item on the agenda. The site has a Downtown Center land use designation that allows for a range of retail uses. The proposed uses on the site are in keeping with the policies of the Downtown Center land use classification and the Project is internally consistent with other General Plan policies for this type of development.
2. The proposed uses will be located, designed, constructed, operated and maintained so as to be compatible with the existing or intended character of the general vicinity and shall not change the essential character of the same area. The proposed project is in compliance with the applicable development standards of the City's Zoning Code. The applicant proposes to amend the approved site plan by eliminating two tenant spaces (4,500 sq. ft). of a multi-tenant retail building and instead retain a 2,028 sq. ft. drive-thru Coffee Shop and a 12-fueling position Canopy for Service Station and a 3,010 sq. ft. mini-market with alcohol sales and 24 hour operations on 3.1 acres of vacant land, in accordance with section 17.74.010 of the Coachella Municipal Code.
3. Consideration is given to harmony in scale, bulk, coverage and density, to the availability of public facilities and utilities, to harmful effect, if any, upon desirable neighborhood character, to the generation of traffic and the capacity of surrounding streets, and to any other relevant impact of the development. The proposed development consists of an amended site plan and architectural elevations that proposes to eliminate two tenant spaces (4,500 sq. ft). of a multi-tenant retail building and instead retain a 2,028 sq. ft. drive-thru Coffee Shop and a 12-fueling position Canopy for Service Station and a 3,010 sq. ft. mini-market with alcohol sales and 24 hour operations on 3.1 acres of vacant land, in accordance with section 17.74.010 of the Coachella Municipal Code. The proposal which will provide City residents and regional residents with an alternative food service and an additional service station with a convenience store which will provide convenience to motorist within the region. The proposed use is

compatible with existing adjacent uses, which include similar land uses and large commercial development sites.

4. Where the proposed use may be potentially hazardous or disturbing to existing or reasonably expected neighboring uses, it must be justified by the common public interest as a benefit to the community as a whole. The proposed development will be compatible with the neighboring properties with respect to land development patterns and application of architectural treatments. The plans submitted for this project propose a building with similar architectural features to the adjoining existing architectural theme of the commercial center as well as adjoining commercial development within the immediate vicinity of the proposed site. The surrounding properties to the south and to the east are vacant and can provide for similar commercial development. As such, the proposed buildings will be in keeping with the scale, massing, and aesthetic appeal of the existing neighborhood and future development.
5. The proposed use will include three new vehicular approaches to the property designed to improve off-site and on-site vehicular circulation for existing traffic on surrounding public streets or roads. Evidence of this is reflected in the provided site plan design. The three new proposed drive isles and internal circulation have been reviewed and approved by the Fire Department and the Engineering Department.

Section 4. Planning Commission Approval;

Based on the foregoing recitals and findings above, and the written and oral comments, facts and evidence presented, the City of Coachella Planning Commission approves a second 1-year time extension request for Conditional Use Permit No. 321, Conditional Use Permit No. 322, Architectural Review 20-03 for the Fountainhead Plaza Phase II project subject to the conditions of approval of Resolution No, 2020-55 and as modified by Resolution No. 2022-10.

PASSED APPROVED and ADOPTED this 5th day of October 2022.

Stephanie Virgen, Chairperson
Coachella Planning Commission

ATTEST:

Gabriel Perez
Planning Commission Secretary

APPROVED AS TO FORM:

Carlos Campos
City Attorney

I HEREBY CERTIFY that the foregoing Resolution No. PC2022-23, was duly adopted at a regular meeting of the Planning Commission of the City of Coachella, California, held on the 5th day of October 2022, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gabriel Perez
Planning Commission Secretary