

Exhibit A – Resolution No. PC2024-21**CONDITIONS OF APPROVAL FOR
CONDITIONAL USE PERMIT 364 (MODIFICATION) COACHELLA GATEWAY**

***Modified Conditions in Strikeout and bold.**

General Conditions

1. Conditional Use Permit No. 364 is an approval for the on sale of beer, wine and distilled spirits in an existing commercial facility AMPM convenient store. This approval is based on the floor plan submitted for the proposed project. Violation of any of the conditions of approval shall be cause for revocation of the Conditional Use Permit.
2. Alcohol sales must be commenced within 12 months of the effective date of this Conditional Use Permit unless a request for an extension of time is reviewed by the Planning Commission. A request for time extension shall be filed in a timely manner with applicable fees.
3. ~~Provide a set of proposed Covenants, Conditions and Restrictions (CC&R) for review and approval. The proposed CC&Rs shall contain the Association's/Owner's maintenance obligations with respect to various facilities including, but not limited to, right of way and private landscaping, private streets, sidewalks, utilities, street lights, and Water Quality Management Plan (WQMP) features. This document must be submitted to and approved by the City before it is submitted to any other governmental entity. The City of Coachella shall be listed as an express third-party beneficiary and be reviewed and approved by the City Attorney's office prior to recordation. Recordation of the amended CC&Rs with the City listed as a third-party beneficiary shall occur prior to issuance of a Type 21 license from CA Alcohol Beverage Control.~~
4. ~~The CUP No. 364 will be considered effective upon replacement of on-site missing, dead or decaying landscaping and removal of the abandoned pylon frame to the satisfaction of the Code Enforcement Manager and Development Services Director. The applicant shall arrange a field inspection with the Code Enforcement Manager and Development Services Director to affirm that this conditional approval was addressed. The Development Services Director will confirm with the CA Alcohol Beverage Control that this condition has been satisfied at that the CUP No. 364 is considered affective.~~
5. The site landscaping shall be maintained in good condition at all times, and the owner or operator of the facility shall be responsible for replacing any damaged, dead or decayed landscaping as soon as practicable and in accordance with the approved landscape plan.
6. ~~The applicant shall install and continue the sidewalk along the southeast portion of the commercial center specifically the frontage (along Grapefruit Blvd.) of the vacant parcel APN: 603-220-057 within 6 months of the approval of CUP 364.~~
7. Any break in service, meaning the closure of the convenience convenient store for a period of 180 consecutive days, will result in the expiration of this CUP.

8. The applicant will agree to defend and indemnify the City of Coachella against all claims, actions, damages, and losses, including attorney fees and costs, in the event that anyone files legal challenges to the approval of this project on the basis of the California Environmental Quality Act (CEQA). Prior to the issuance of building permits, the applicant shall execute a standard indemnification agreement subject to review by the City Attorney.
9. The use shall meet the standards within the limits established by the Coachella Municipal Code as related to emissions of noise, odor, dust, vibration, wastes, fumes, or any public nuisances arising or occurring incidental to the establishment or operation.
10. Hours of operation will continue the same operating hours, which open for 24 hours, very day of the week.
11. The applicant shall comply with all requirements imposed by the State Department of Alcoholic Beverage Control and a review of this conditional use permit will be required if the business results in an increase in floor area.
- ~~12. The existing abandoned metal freestanding sign at the corner of Grapefruit Blvd and Avenue 48 shall be removed prior to issuance of a Type 21 ABC License.~~
- ~~13. The applicant shall install a new Street Light to provide lighting for the new sidewalk extension along the frontage of the southeast portion of the commercial center (along Grapefruit Blvd.) of the vacant lot 603-220-057 within 6 months of the approval of CUP 364.~~