

RESOLUTION NO. PC 2024-21

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COACHELLA, CALIFORNIA APPROVING A MODIFICATION TO CONDITIONAL USE PERMIT NO. 364 TO ALLOW OFF-SALE BEER, WINE, DISTILLED SPIRITS FOR THE 5,170 SQUARE FOOT “AMPM” CONVENIENCE STORE (ABC LICENSE TYPE 21- OFF-SALE GENERAL) IN AN EXISTING COMMERCIAL BUILDING LOCATED AT 48055 GRAPEFRUIT BLVD. (APN 603-220-056); GSC & SON CORPORATION, APPLICANT.

WHEREAS, GSC & SON Corporation filed an application for a modification to Conditional Use Permit No. 364 (CUP 364) to modify conditions of approval for a 5,170 square foot eating place for service of beer, wine and distilled spirits (ABC License Type 21 – Off-Sale General) in an existing commercial building located at 48055 Grapefruit Blvd.; Assessor’s Parcel No. 603-220-056 (“Project”); and,

WHEREAS, the Planning Commission conducted a duly noticed public hearing on CUP No. 364 on April 19, 2023 at the Coachella City Hall, 1515 6th Street, Coachella, California approving the proposed Project; and,

WHEREAS, the Planning Commission conducted a duly noticed public hearing on a modification to CUP No. 364 on September 18, 2024 at the Coachella City Hall, 1515 6th Street, Coachella, California approving the proposed CUP modifications; and,

WHEREAS, at the Planning Commission hearing, 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 17.74 of the Coachella Municipal Code.

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 part of an existing commercial center and the establishment currently utilizes an ABC Type 20 – Off-Sale Beer and Wine and will accommodate the proposed ABC Type 21- Off-Sale General; 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, the proposed project is exempt from 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, THE PLANNING COMMISSION OF THE CITY OF COACHELLA, CALIFORNIA DOES HEREBY FIND DETERMINE AND RESOLVE AS FOLLOWS:

SECTION 1. Recitals. The above recitals are true and correct and incorporated herein as findings of fact.

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 exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act as an “Existing Facilities” project (CEQA Guidelines, Section 15301a) as the proposed on sale service of liquor will occur in conjunction with an existing business in an existing commercial building.

SECTION 3. Conditional Use Permit Findings.

With respect to Conditional Use Permit No. 364 the Planning Commission finds as follows:

1. The proposed use will not be in conflict with, but will be in harmony with and in accordance with the objectives of the general plan because the proposed convenience store use with alcohol sales is within the Suburban Retail District land use designation according to the General Plan 2035, which allows retailers located in major crosstown corridors, retail districts balance the need to provide convenient access and parking for motorists providing an attractive shopping environment. The proposed Type 21 Off-Sale General liquor license support the type of established as convenient store located at the major arterial supporting the goals of the General Plan.
2. The proposed use will be located, designed, constructed, operated and maintained so as to be compatible with the existing character of the general vicinity and shall not change the essential character of the same area because the proposed use is within a zoning designation of ‘C-G’ (General Commercial) which permits convenient store subject to obtaining a conditional use permit to sell alcoholic beverages. The proposed use in the C-G zone and is compatible with the adjoining commercial uses and the conditional use permit can be revoked if any of the conditions of approval are violated.
3. Consideration has been 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 development, because the existing commercial has all infrastructure available on-site for the convenient store. The project was part of a commercial center that was approved by Planning Commission as Architecture Review 12-07, CUP 254 and CUP 256, therefore the project conforms to the on-site parking pursuant to the City Parking Ordinance Chapter 17.54.
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. As conditioned, the proposed use will provide for the sale of alcoholic beverages. The Riverside County Sheriff indicated that there no concerns about the operations of this establishment. The Sherriff's Department did not recommend conditions related to public safety concerns. As such, there will be no hazardous or disturbing effects to the existing and neighboring uses.

5. The proposed use provides vehicular approaches to the property designed for reasonable interference with traffic on surrounding public streets or roads. Existing vehicular approaches from Avenue 48, Dillon Road, and Grapefruit Blvd. will be utilized for the project. Existing on-site vehicular parking is sufficient.
6. The City of Coachella has determined that the proposed project is categorically exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act as an "Existing Facilities" project (CEQA Guidelines, Section 15301a) as the proposed on sale service of liquor will occur in conjunction with an existing business in an existing commercial building.

SECTION 4. Location and Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings are based are located at Coachella Civic Center. The Development Services Director is the custodian of the record of proceedings.

SECTION 5. Execution of Resolution. The Chairman shall sign this Resolution and the City Clerk shall attest and certify to the passage and adoption thereof.

SECTION 6. 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 hereby approves Conditional Use Permit No. 364 Modification for the Coachella Gateway project subject to and amended by conditions of approval in "Exhibit A."

PASSED APPROVED and ADOPTED this 18th day of September 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Jason Hernandez
Planning Commission Chairperson

ATTEST:

Gabriel Perez
Planning Commission Secretary

APPROVED AS TO FORM:

Carlos Campos
City Attorney

DRAFT

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

I HEREBY CERTIFY that the foregoing Resolution No. PC2024-21 was duly adopted by the Planning Commission of the City of Coachella at a regular meeting thereof, held on this 18th day of September 2024 by the following vote of the Planning Commission:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gabriel Perez
Planning Commission Secretary