

ORDINANCE NO. 1157

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COACHELLA, CALIFORNIA, APPROVING THE VISTA DEL AGUA FINAL SPECIFIC PLAN (SP 14-01) THAT PROPOSES RESIDENTIAL, COMMERCIAL, OPEN SPACE AND PARK LAND USES ALONG WITH DEVELOPMENT STANDARDS AND DESIGN GUIDELINES FOR THE DEVELOPMENT OF APPROXIMATELY 275 ACRES GENERALLY LOCATED ON THE NORTH SIDE OF AVENUE 48 BETWEEN TYLER STREET AND POLK STREET. CVP PALM SPRINGS LLC, APPLICANT.

WHEREAS, the Applicant has filed an application for General Plan Amendment 14-01 for a general plan land use designation amendment along with Specific Plan 14-01, Change of Zone 14-01 (map amendment), Tentative Parcel Map (TPM) 36872 (large lot financing map), and Development Agreement (collectively the "Project Approvals"), to allow for the future development of a residential and commercial project with various public facilities and open space on approximately 275 acres of vacant land located on the south side of Interstate 10 and Vista Del Sur, north of Avenue 48; east of Tyler street and west of Polk street. Access to the site will be provided by the easterly extension of Shadow View Boulevard from Dillon Road to the project site, Vista Del Sur, Avenue 47, and Tyler Street; and

WHEREAS, the 275 acre project site is currently designated General Neighborhood, Suburban Retail District, Suburban Neighborhood and Neighborhood Center on the Coachella General Plan, 2035; and

WHEREAS, the City has processed the Project Approvals including this Specific Plan pursuant to the Coachella Municipal Code and the State Government Code, and the California Environmental Quality Act as amended, under which a Draft Environmental Impact Report 14-04 (SCH # 2015031003) was prepared (DEIR); and

WHEREAS, the DEIR was circulated as required by law and, together with all comments and responses to those comments, was provided to the City Council as the Final Environmental Impact Report 14-04 (FEIR) for the project; and

WHEREAS, the Native American Heritage Commission was notified as part of the DEIR Notice of Preparation in March 2015 to determine the tribes to contact for potential consultation, and thereafter transmitted to such tribes, and one tribe requested consultation and submitted comments on the DEIR pursuant to 65351 and 65352.3; and

WHEREAS, Chapter 17.36 of the City of Coachella Municipal Code prescribes the process to process a Specific Plan, the substance of a Specific Plan and the review and adoption of a Specific Plan; and

WHEREAS, on June 19, 2019 the Planning Commission of the City of Coachella held a duly noticed Public Hearing at which interested persons had an opportunity to testify in

support of, or opposition to, the Specific Plan and at which the Planning Commission considered the Specific Plan as presented by the applicant, together with the recommendations of the Development Services Director and recommended that the City Council hold a public hearing and approve the Vista Del Agua Project; and

WHEREAS, on February 10, 2020 the City gave public notice as required 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 time the Vista Del Agua Project including this Specific Plan would be considered; and

WHEREAS, the City Council continued the February 26, 2020 public hearing to the April 8, 2020 City Council meeting and again to the May 13, 2020 City Council meeting in order to respond to two written comments received; and

WHEREAS, in compliance with the requirements of the California Environmental Quality Act (CEQA), prior to approving this Specific Plan, the City Council of the City of Coachella adopted Resolution 2020-02 certifying the Final Environmental Impact Report, and adopting CEQA findings and Statement of Overriding Considerations for the Vista Del Agua Project Approvals; and

WHEREAS, 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 May 13, 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 Specific Plan 14-01 is within the scope of that EIR; and

WHEREAS, the evidence before the City Council supports the conclusion that Specific Plan 14-01 be approved as does the record consisting of the staff report, case file, exhibits on display and public hearing testimony, and

WHEREAS, all other prerequisites to the adoption of this Ordinance have occurred.

NOW, THEREFORE BE IT RESOLVED, that the City Council, in light of the whole record before it, including but not limited to the recommendation of the Development Services Director as provided in the Staff Report dated May 13, 2020 and documents incorporated therein by reference and any other written or oral evidence within the record or provided at the public hearing of this matter, hereby finds as follows:

Findings for approval of SP 14-01:

1. Specific Plan No. 14-01 is consistent with the City of Coachella General Plan, and authorized by General Plan Amendment 14-01; the Specific Plan provides a balance of land uses including residential and commercial land uses and will provide a diverse mix of housing opportunities at varying densities for current and future residents. The Specific Plan proposes active and passive open space consistent with the City's General Plan.

2. Specific Plan 14-01 is compatible with anticipated development in the Specific Plan area, provides adequate circulation in the area, and the proposed uses are compatible with the zoning of adjacent properties as set forth in Chapter 17.36 of the City of Coachella Municipal Code; The Project would not adversely affect the public convenience, health, safety, or general welfare, or result in an illogical land use pattern as the Project site currently has General Plan designations of General Neighborhood, Suburban Retail District, Suburban Neighborhood and Neighborhood Center. The development standards in the Specific Plan will result in an enhanced development design for the subject property rather than using standard zoning and development regulations. Any development within the Project will be developed in accordance with the Vista Del Agua Specific Plan including the design guidelines.
3. Specific Plan 14-01 is suitable and appropriate for the subject property as set forth in Chapter 17.36 of the City of Coachella Municipal Code; The Project site currently has General Plan designations of General Neighborhood, Suburban Retail District, Suburban Neighborhood and Neighborhood Center. Implementation of the Specific Plan will result in a superior development than if the property was developed without the specific plan.
4. The Vista Del Agua Specific Plan Mitigation Measures and Conditions of Approval dated June 19, 2019 and the Mitigation Monitoring and Reporting Program (MMRP) for the Vista Del Agua Specific Plan are adequate to avoid the creation of any conditions that would be materially detrimental to the public health, safety and welfare and will reduce the impacts of the development of the Specific Plan area to a level of non-significance except as otherwise set out in the Statement of Overriding Considerations.

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF COACHELLA, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. Adoption. The City Council does hereby adopt Specific Plan 14-01 for the Vista Del Agua Project within the City of Coachella pursuant to the facts and reasons stated herein and in the Planning Commission Resolution 2019-19, a copy of which is on file in the office of the City Clerk and incorporated herein by reference.

SECTION 2. Effective Date. This Ordinance shall take effect thirty (30) days after its adoption.

SECTION 3. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional.

SECTION 4. Certification. The City Clerk shall certify the passage of this Ordinance and shall cause the same to be entered in the book of original ordinances of said City; shall make a minute passage and adoption thereof in the records of the meeting at which time the same is passed

and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause the same to be published as required by law, in a local newspaper of general circulation and which is hereby designated for that purpose.

SECTION 5. CEQA. The City Council finds that this Specific Plan is subject to the California Environmental Quality Act (CEQA) and that the specific plan is within the scope of EIR 14-01 and the City Council has adopted Resolution No. 2020-02, certifying Final Environmental Impact Report 14-04: an Environmental Impact Report that has been prepared for the Vista Del Agua Project Approvals in accordance with the California Environmental Quality Act (CEQA) along with specific findings and a statement of overriding considerations.

PASSED, APPROVED and ADOPTED this 27th day of May 2020.

Steven A. Hernandez
Mayor

ATTEST:

Angela M. Zepeda
City Clerk

APPROVED AS TO FORM:

Carlos Campos
City Attorney

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

I HEREBY CERTIFY that the foregoing Ordinance No. 1157 was duly and regularly introduced at a meeting of the City Council on the 13th day of May 2020, and that thereafter the said ordinance was duly passed and adopted at a regular meeting of the City Council on the 27th day of May 2020.

AYES:

NOES:

ABSENT:

ABSTAIN:

Andrea J. Carranza, MMC
Deputy City Clerk