

RESOLUTION NO. PC2019-37

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COACHELLA, CALIFORNIA, RECOMMENDING APPROVAL OF A FIRST AMENDMENT OF THE LA ENTRADA DEVELOPMENT AGREEMENT TO MODIFY MILESTONE DATES FOR COMMENCEMENT OF CONSTRUCTION AND TO INCREASE THE NUMBER OF AFFORDABLE HOUSING UNITS FOR THE 2,200-ACRE LA ENTRADA SPECIFIC PLAN PROJECT LOCATED ON THE SOUTH SIDE OF THE I-10 FREEWAY, EAST OF THE ALL-AMERICAN CANAL AND NORTH OF AVENUE 52. PSAV, LLC. (APPLICANT)

WHEREAS, PSAV, LLC, a Delaware limited liability company filed an application for a Development Agreement in conjunction with the La Entrada Specific Plan and EIR Project which allows for the phased development of a 2,200-acre master planned community consisting of up to 7,800 dwelling units and 1,510,879 square feet of retail and office commercial and approximately 720 units of high density residential, located on the south side of the I-10 Freeway, east of the All-American Canal, and north of Avenue 52 (“Project); and,

WHEREAS, the Coachella Planning Commission (“Planning Commission”) of the City of Coachella (“City”) has found that development agreements strengthen the public planning process, encourage private participation in comprehensive planning by providing a greater degree of certainty in that process, reduce the economic costs of development, allow for the orderly planning of public improvements and services, allocate costs to achieve maximum utilization of public and private resources in the development process, and ensure that appropriate measures to enhance and protect the environment are achieved; and,

WHEREAS, on April 16, 2014 the Planning Commission adopted Resolution No. PC2014-01 recommending to the City Council approval of the La Entrada Development Agreement to vest land use entitlements, allow for infrastructure financing schemes, and development impact fee credits, and to create mutual benefits and obligations between the City and the Developer and the Commission hereby acknowledges the prior pre-ambls acknowledged for the project in said Resolution; and,

WHEREAS, the Planning Commission has considered the requested amendments to the Project Development Agreement, considered the City Council’s direction, and concurs that the construction milestones should be modified and that the number of affordable housing units for the Project should be increased; and,

WHEREAS, the Planning Commission of the City of Coachella held a duly noticed and published Public Hearing on December 4, 2019 at which time interested persons had an opportunity to testify in support of, or opposition to, the Development Agreement (First Amendment) and at which time the Planning Commission considered the Development Agreement (First Amendment) together with the recommendations of the Development Services Director and all written and oral evidence within the record or provided at the public hearing; and,

WHEREAS, The Planning Commission finds that the La Entrada Specific Plan, previously approved by the City on November 13, 2013 subject to conditions of approval, proposes the development of a master-planned community in the northeastern portion of the City on approximately 2,200 acres. The Specific Plan includes a mix of residential, commercial, open space, education, and recreational uses, as well as associated infrastructure to support buildout of the Specific Plan. An Environmental Impact Report (EIR) for the La Entrada Specific Plan was also certified on November 13, 2013 (SCH #2012071061), which analyzed the environmental impacts from development of the Specific Plan and imposed mitigation measures. And, the City and property owner (“Owner”) first entered into a Development Agreement on July 25, 2014, to facilitate the development of the La Entrada Project, consisting of the construction of 7,800 single and multi-family units, commercial, retail and offices uses and community/public facilities within the Specific Plan area. On May 22, 2019, the Owner requested an amendment to the La Entrada Development Agreement (“Amendment”) for an additional five (5) years to commence construction on the project. The Amendment is a minor timing correction that does not modify the Project or the mitigation measures contained in the certified EIR. Specifically, the mitigation measures (such as those related to traffic) are required prior to approval of a Tentative Map for each phase, which doesn’t conflict with the new terms in the Development Agreement, as the Amendment requires an approved Master Tentative and Master Final map prior to the start of any Construction. The Amendment revises the timing of the conditions of approval for the Specific Plan to from “prior to or concurrent with submittal of a Master Tentative Map” and “prior to or concurrent with submittal of a Builder’s Tentative Map or Commercial Map” to “prior to or concurrent with approval of a Master Tentative Map” and “prior to or concurrent with approval of a Builder’s Tentative Map or Commercial Map”. The amendment does not affect the conditions themselves. Where mitigation contained in the conditions of approval requires studies be completed, such as traffic studies, the conditions already contain language that they be prepared “prior to or concurrent with approval.” Accordingly, no new information of substantial importance exists under Public Resources Code 21166 or State CEQA Guidelines 15162 showing that any new or substantially increased significant impacts would arise from the Amendment. The Amendment extends the timing for the commencement of construction by five years and increases the number of affordable

dwelling units without increasing the total number of units to be constructed. The Amendment does not modify the Project or change the significance conclusions of the previously certified EIR and no new mitigation is required as a result of the Amendment. Therefore, no further CEQA review is required.

WHEREAS, the Planning Commission makes the following findings:

A. The Development Agreement (First Amendment) is consistent with the objectives, policies, general land uses and programs specified in the City's general plan for the Specific Plan District designation of the subject site.

B. The Development Agreement (First Amendment) is compatible with the uses authorized in and the regulations prescribed for the land use district in which the real property is located in that there are no uses proposed that are in conflict with the approved La Entrada Specific Plan.

C. The Development Agreement (First Amendment) is in conformity with the public necessity, public convenience, general welfare and good land use practices which includes the development of a phased master-planned community with public infrastructure, schools, neighborhood serving commercial and open space with trails and transportation linkages providing a high quality of life.

D. The Development Agreement (First Amendment) will not be detrimental to the health, safety and general welfare in that the orderly development of the project would be a beneficial use of the existing native desert hillside terrain providing economic development opportunities, affordable housing opportunities, and an enhanced tax base and employment base for the City of Coachella.

E. The Development Agreement (First Amendment) will not adversely affect the orderly development of property or the preservation of property values in that there are no sensitive uses in or near the subject site that would otherwise be affected by the development of the project.

F. The Development Agreement (First Amendment) will have a positive fiscal impact on the city based on the approved fiscal impact study that is a part of the original Development Agreement.

NOW, THEREFORE BE IT RESOLVED, that the Planning Commission, 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 December 4, 2019 and documents incorporated therein by reference and any other written and oral evidence within the record or provided at the public hearing of this matter, hereby recommends that the City Council approve the La Entrada Development Agreement (First Amendment), attached hereto as Exhibit "A".

PASSED APPROVED and ADOPTED this 4th day of December 2019.

Javier Soliz, Chairperson
Coachella Planning Commission

ATTEST:

Yesenia Becerril
Planning Commission Secretary

APPROVED AS TO FORM:

Carlos Campos
City Attorney

I HEREBY CERTIFY that the foregoing Resolution No. PC-2019-28, was duly adopted at a regular meeting of the Planning Commission of the City of Coachella, California, held on the 4th day of December 2019, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Yesenia Becerril
Planning Commission Secretary