

RESOLUTION NO. PC 2019-36

A RESOLUTION OF THE CITY OF COACHELLA PLANNING COMMISSION RECOMMENDING TO THE CITY COUNCIL APPROVAL OF CHANGE OF ZONE 18-07 THAT PROPOSES TO ADD THE RETAIL CANNABIS (RC) OVERLAY ZONE TO THE EXISTING (CG) GENERAL COMMERCIAL ZONE ON PROPERTY LOCATED AT 1639 AND 1645 6TH STREET, IN COACHELLA, CALIFORNIA; ED SAPIGAO, APPLICANT.

WHEREAS, Ed Sapigao (on behalf of Kismet Organic Cultivation) filed an application for Change of Zone 18-07 on property located at 1639 and 1645 Sixth Street, and an attendant application for Conditional Use Permit (CUP 305), Assessor's Parcel No. 778-061-009 ("Project"); and,

WHEREAS, the Planning Commission conducted a duly noticed public hearing on Change of Zone 18-07 and CUP 305 on November 6, 2019 at the Coachella Permit Center, 53-990 Enterprise Way, Coachella, California; and,

WHEREAS, 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 17.47 of the Coachella Municipal Code, and the attendant applications for a Conditional Use Permit to allow the Project; and,

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 adequate in size and shape to accommodate the proposed development; 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 Project is exempt from the provisions of 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, that the Planning Commission of the City of Coachella, California does hereby recommend to the City Council approval of Change of Zone 18-07 based on the findings listed below and the attached Conditions of

Approval for the Coachella Kismet Project (contained in “Exhibit A” for CUP 305 and made a part herein).

Findings for Change of Zone 18-07:

1. The Project is consistent with the goals, objectives, policies, and implementation measures of the Coachella General Plan 2035. The site has a Downtown Center land use designation that allows for the proposed development. The proposed change of zone is 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 because the C-G (General Commercial) zone allows for retail sales and service uses as proposed by this project and the General Plan envisions pedestrian-friendly commercial activity along 6th Street.
2. The Project is in compliance with the applicable land use regulations and development standards of the City’s Zoning Code. The site plan proposes a cannabis retail business. The Project complies with applicable C-G (General Commercial) and Section 17.47.020 property development standards as proposed, and the parking lot portion of the site will be improved to more closely comply with current zoning regulations.
3. Every use, development of land and application of architectural guidelines and development standards shall be considered on the basis of the suitability of the site for a particular use or development intended, and the total development, including the prescribed development standards, shall be so arranged as to avoid traffic congestion, ensure the protection of public health, safety and general welfare, prevent adverse effects on neighboring property and shall be in accord with all elements of the general plan. The proposed change of zone is compatible with existing surrounding land uses that include commercial, institutional, and entertainment uses.
4. The Project will be compatible with neighboring properties with respect to land development patterns and application of architectural treatments. The plans submitted for this Project propose a cannabis business that is permitted in the C-G (General Commercial) zone pursuant to an approved Conditional Use Permit. Surrounding properties to the project site include commercial, institutional, and entertainment uses. As such, the Project will be in keeping with the scale, massing, and aesthetic appeal of the existing area and future development.
5. The Project is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303 (C) that exempts the conversion of existing small structures from one use to another where only minor modifications are made to the exterior of the structure.

PASSED APPROVED and ADOPTED this 6th day of November 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. PC2019-36, was duly adopted at a regular meeting of the Planning Commission of the City of Coachella, California, held on the 6th day of November 2019, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Yesenia Becerril
Planning Commission Secretary