

**RESOLUTION NO. PC 2019-26**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COACHELLA, CALIFORNIA, MAKING A FINDING OF ADEQUACY AND RECOMMENDING TO THE CITY COUNCIL ~~APPROVAL~~ ADOPTION OF AN ~~ADDENDUM TO THE~~ MITIGATED NEGATIVE DECLARATION (ENVIRONMENTAL ASSESSMENT NO. 18-05) FOR CHANGE OF ZONE 18-11, CONDITIONAL USE PERMITS 310 AND 311, VARIANCE NO. 18-09, AND ARCHITECTURAL REVIEW NO. 18-09 ON THE SOUTH SIDE OF AVENUE 50 BETWEEN THE WHITEWATER CHANNEL AND 86-S EXPRESSWAY. ALEX MUCINO, APPLICANT.**

**WHEREAS**, the Coachella Travel Centre project, as set forth in Change of Zone (CZ 18-11), Conditional Use Permits (CUP 310 and 311) Variance (VAR 18-09), Architectural Review (AR 18-09) and Environmental Assessment (EA 18-05) proposes to allow the phased development of a new travel center to include a 3,800 sq. ft. convenience store with service station, 1,200 sq. ft. drive-thru restaurant, 5,555 sq. ft. restaurant, 2,677 sq. ft. car wash tunnel, 4,754 sq. ft. truck washing facility, and an 11, 259 sq .ft 11-story hotel with related infrastructure on 14.1 acres of vacant land located on the south side of Avenue 50 between the Whitewater Channel and the State Route 86 Expressway in Coachella (the “project”); and,

**WHEREAS**, pursuant to the California Environmental Quality Act (Public Resources Code, § 21000 et seq.) and the State CEQA Guidelines (California Code of Regulations, title 14, § 15000 et seq.) (collectively, “CEQA”), the City of Coachella (“City”) is the lead agency for the proposed project; and

**WHEREAS**, in accordance with State CEQA Guidelines section 15063, the City prepared an Initial Study to analyze whether the proposed project may cause a potentially significant effect on the environment; and

**WHEREAS**, based on the information contained in the Initial Study, which concluded that the proposed project could have potentially significant impacts but that those impacts could be reduced to less than significant levels with implementation of proposed mitigation measures, the City determined that a Mitigated Negative Declaration (“MND”) should be prepared for the proposed project, and a MND was prepared pursuant to CEQA; and

**WHEREAS**, the City provided copies of the Initial Study and MND to the public for a review and comment period beginning on May 6, 2019 and ending on June 5, 2019, pursuant to State CEQA Guidelines section 15073, during which time the City received two comment letters; and

**WHEREAS**, during the public review and comment period, copies of the MND were available for review and inspection at the City of Coachella Development Services Department, 1515 6th Street, Coachella, CA 92236; and

**WHEREAS**, on October 2, 2019 the Planning Commission held a duly noticed public hearing at 53-990 Enterprise Way, Coachella, California to review the project, as modified and the related environmental documents, at which time during the hearing members of the public were given an opportunity to testify regarding the project and continued the item to the October 16, 2019 meeting; and,

**WHEREAS**, on October 16, 2019 the Planning Commission continued the public hearing to the November 6, 2019 meeting wherein the public was given an additional opportunity to testify; and,

**WHEREAS**, findings of the Initial Study concluded that the proposed project would not create any significant impacts to air quality, biological resources, cultural resources, geology and soils, traffic and transportation and noise provided certain mitigation measures were incorporated into the project; and,

**WHEREAS**, the ~~Proposed-proposed Project-project~~ has been conditioned to include recommended mitigation measures of the environmental analysis as set forth in a Mitigation Monitoring and Reporting Program (Exhibit A); and,

**WHEREAS**, the ~~Proposed-proposed Project-project~~ would not be detrimental to the general health, safety and welfare of the community; ~~and-~~

**WHEREAS**, the MND reflects the independent judgment of the City and is deemed adequate for purposes of making decisions on the merits of the proposed project; and

**WHEREAS**, no comments made in the public hearing conducted by the City Planning Commission, and no additional information submitted to the Planning Commission, have produced substantial new information requiring substantial revisions that would trigger recirculation of the MND or additional environmental review of the proposed project under State CEQA Guidelines section 15073.5; and

**WHEREAS**, all other legal prerequisites to the adoption of this Resolution have occurred.

**NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF COACHELLA DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:**

**SECTION 1.** Recitals. The Planning Commission hereby finds that the foregoing recitals are true and correct and are incorporated herein as substantive findings of this Resolution.

**SECTION 2.** Compliance with the Environmental Quality Act (“CEQA”). As the advisory body for the ~~modified P~~project, the Planning Commission has reviewed and considered the information contained in the Mitigated Negative Declaration, Initial

Study, comments received, and other documents contained in the administrative record for the Project. The Planning Commission finds adequacy in the CEQA documents and recommends that the City Council find that the Mitigated Negative Declaration, Initial Study and administrative record contain a complete and accurate reporting of the environmental impacts associated with the Project. The Planning Commission further recommends that the City Council find that the Mitigated Negative Declaration and the Initial Study have been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Coachella's Local CEQA Guidelines.

**SECTION 3.** Findings on Environmental Impacts. Based on the whole record before it, including the Mitigated Negative Declaration, Initial Study, the administrative record and all other written and oral evidence presented to the Planning Commission, the Planning Commission finds adequacy in the documents and recommends that the City Council find that all environmental impacts of the Project as modified are either insignificant or can be mitigated to a level of insignificance pursuant to the mitigation measures outlined in the Mitigated Negative Declaration, the Initial Study and the Mitigation Monitoring and Reporting Program. The Planning Commission further recommends that the City Council find that there is no substantial evidence in the administrative record supporting a fair argument that the Project, as modified, may result in any significant environmental impacts. The Planning Commission recommends that the City Council find that the Mitigated Negative Declaration contains a complete, objective, and accurate reporting of the environmental impacts associated with the Project and reflects the independent judgment and analysis of the Planning Commission.

**SECTION 4.** Wildlife Resources. Pursuant to Fish and Game Code Section 711.4(c), all project applicants and public agencies subject to CEQA shall pay a filing fee for each Proposed Project, as specified in subdivision 711.4(d) for any adverse effect on wildlife resources or the habitat upon which wildlife depends unless a "no effect" finding is made by the California Department of Fish and Game. This fee is due and payable as a condition precedent to the County Clerk's filing of a Notice of Determination.

**SECTION 5.** Recommendation Regarding Adoption of the ~~Addendum to Mitigated Negative Declaration~~. The Planning Commission hereby recommends that the City Council adopt the Mitigated Negative Declaration ~~and adopt a Mitigation Monitoring Program.~~

**SECTION 6.** Adoption of Mitigation Monitoring and Reporting Program. The Planning Commission hereby recommends that the City Council approve and adopt the Mitigation Monitoring and Reporting Program prepared for the ~~Project~~project, as modified, attached hereto as Exhibit "A". In the event of any inconsistencies between the mitigation measures as set forth in the MND and the MMRP, the MMRP shall control.

**SECTION 7.** Notice of Determination. The Planning Commission recommends the City Council direct staff to prepare, execute, and file a Notice of Determination with the Riverside County Clerk within five (5) working days of any

project approval.

**SECTION 78.** 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 Permit Center. The Development Services Director is the custodian of the record of proceedings.

**SECTION 89.** Execution of Resolution. The Chairman shall sign this Resolution and the City Clerk shall attest and certify to the passage and adoption thereof.

**PASSED APPROVED** and **ADOPTED** this 6<sup>th</sup> day of November 2019.

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Javier Soliz, Chairperson  
Coachella Planning Commission

**ATTEST:**

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Yesenia Becerril  
Planning Commission Secretary

**APPROVED AS TO FORM:**

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Carlos Campos  
City Attorney

I HEREBY CERTIFY that the foregoing Resolution No. PC2018-23 was duly adopted at a regular meeting of the Planning Commission of the City of Coachella, California, held on the 6<sup>th</sup> day of November 2019 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Yesenia Becerril  
Planning Commission Secretary