



Coachella Civic Center, Hearing Room  
53-462 Enterprise Way, Coachella, California  
(760) 398-3502 ♦ [www.coachella.org](http://www.coachella.org)

**MINUTES**  
OF A REGULAR MEETING  
OF THE  
CITY OF COACHELLA  
PLANNING COMMISSION

**January 05, 2022**  
6:00 PM

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PURSUANT ASSEMBLY BILL 361, ALONG WITH THE GOVERNOR'S STATE OF EMERGENCY DECLARATION ISSUED ON MARCH 4, 2020, THIS MEETING MAY BE CONDUCTED VIA TELECONFERENCE.

If you would like to attend the meeting via zoom, here is the link:

<https://us02web.zoom.us/j/84544257915?pwd=VTdHWitpYVdOUk1NQW8vZ1pqUm0zQT09>

Or one tap mobile :

Us: +16699006833,, 84544257915#,,,,\* 380084# US

Or telephone:

Us: +1 669 900 6833

**Webinar ID: 845 4425 7915**

**Passcode: 380084**

Public comments may be received via email, telephonically, or via zoom with a limit of 250 words, or three minutes:

**In real time:**

If participating in real time via zoom or phone, during the public comment period, use the "raise hand" function on your computer, or when using a phone, participants can raise their hand by pressing \*9 on the keypad.

**In writing:**

Written comments may be submitted to the commission electronically via email to [gperez@coachella.org](mailto:gperez@coachella.org). Transmittal prior to the start of the meeting is required. All written comments received will be forwarded to the commission and entered into the record.

IF YOU WISH, YOU MAY LEAVE A MESSAGE AT (760) 398-3102, EXTENSION 122, BEFORE 4:00 P.M. ON THE DAY OF THE MEETING.

**CALL TO ORDER:** 6:02 P.M.

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

Commissioners Present: Commissioner Figueroa, Commissioner Leal, Vice Chair Navarrete, Chair Virgen (All Planning Commissioners participated via teleconference)

\*Commissioner Gonzalez shown on the Zoom meeting and not considered present during the roll call since he was not audible during the roll call. Commissioner Gonzalez was considered present during the approval of the minutes.

Staff Present:

\*Gabriel Perez, Development Services Director  
\*Nikki Gomez, Associate Planner  
\*Rosa Montoya, Planning Technician  
\*Rene Rosales, Code Enforcement Manager  
\*Participated in meeting via teleconference

**APPROVAL OF AGENDA:**

“At this time the Commission may announce any items being pulled from the agenda or continued to another date or request the moving of an item on the agenda.”

CHAIR VIRGEN MOVED TO APPROVE THE AGENDA.

**APPROVAL OF THE MINUTES:**

1. Draft Planning Commission Minutes – December 15, 2021

IT WAS MOVED VICE CHAIR NAVARRETE AND SECONDED BY CHAIR FIGUEROA TO APPROVE THE AGENDA.

2. Approved by the following roll call vote:
3. AYES: Vice Chair Navarrete, Chair Virgen, Commissioner Figueroa, Commissioner Gonzalez, Commissioner Leal.
4. NOES: None.
5. ABSTAIN: None.
6. ABSENT: None

**WRITTEN COMMUNICATIONS:**

**PUBLIC COMMENTS (NON-AGENDA ITEMS):**

“The public may address the Commission on any item of interest to the public that is not on the agenda, but is within the subject matter jurisdiction thereof. Please limit your comments to three (3) minutes.”

**REPORTS AND REQUESTS:**

**NON-HEARING ITEMS:**

**PUBLIC HEARING CALENDAR (QUASI-JUDICIAL):**

2. Coachella Valley Growers LLC Interim Outdoor Cannabis Cultivation - Conditional Use Permit 345 to allow interim outdoor cannabis cultivation on a 79.39 acre site located at 50501 Fillmore Street. (APN 763-070-012 & 763-070-010) Applicant: Coachella Valley Growers, LLC

Nikki Gomez, Associate Planner, narrated a PowerPoint Presentation for the item for the requested continuance. A copy of the Presentation is on file in the Planning Division.

IT WAS MOVED BY VICE CHAIR NAVARRETE AND SECONDED BY COMMISSIONER GONZALEZ TO CONTINUE TO JANUARY 19, 2022 PLANNING COMMISSION CONSIDERATION OF CONDITIONAL USE PERMIT NO. 345.

Approved Continuance of the item by the following roll call vote:

AYES: Vice Chair Navarrete, Chair Virgen, Commissioner Gonzalez, Commissioner Leal, Commissioner Figueroa.

NOES: None.

ABSTAIN: None.

ABSENT: None.

3. Fountainhead Plaza (Continued from December 15, 2021)

Tentative Parcel Map 37940 (Revision), Conditional Use Permit (CUP) 346, CUP 347, CUP 321 (modification), Architectural Review (AR) 21-12, and AR 20-03 (modification) to develop 5.06 acres of an 8.25 acre property to include a 2,028 sq. ft. Starbucks drive thru building, a 2,600 sq. ft. Panda Express drive thru restaurant and a 20,442 sq. ft. Aldi supermarket with Type 20 Alcohol Sales (Off-Sale Beer and Wine) at the northeast corner of Cesar Chavez Street and First Street (APN# 778-020-007 and 778-010-017). Applicant: Coachella Retail Realty Associates, LP.

Gabriel Perez, Development Services Director, narrated a PowerPoint Presentation for the item and presented an Errata for revised conditions for Resolution No. PC 2021-25. A copy of the Presentation is on file in the Planning Division.

Chair Virgen opened the meeting for public comment at 6:35 p.m.

Craig Smith, representing Fountainhead Development, LLC, reported since the previous January 5, 2022 Planning Commission meeting that a security company was hired for the commercial center, pursued a site clean-up, observed the need for landscaping replacement in existing landscape areas, agreed to construct a block wall at the Aldi and Panda Express pads, and plans project construction within 7-8 weeks. He stated Aldi supermarket operations agree to be the on-site maintenance manager for the commercial center and he would install date palm trees with the proposed development as requested by the Commission.

Jesus Gonzalez, applicant representative, thanked the commission and staff and said the developer has a reputation for doing the right thing and the development would be one that everyone could be proud of. He

further stated that drive thru establishments and outdoor restaurants are important due to the impacts of covid-19 and that the public prefers to use the drive thru rather than enter restaurants.

Francis Chu, applicant representative, stated that the design for Panda Express would not change despite concerns about the need for a redesign as the applicant felt the design is consistent with McDonald's and Taco Bell restaurants. He further stated that the future 7-Eleven fuel station and convenience store would incorporate the architecture similar to the Walgreens building. Mr. Chu stated the Aldi building was redesigned to limit to appearance of the rooftop equipment and expressed concern for Condition 73 regarding roof top equipment screening. He requested that language of the condition be modified to state that the roof top equipment not be visible from street level since he stated the rooftop equipment would not be visible until 700 feet away.

During the ensuing discussion, the Commissioners, either individually or in agreement, provided the following commentary:

- Inquired about status of the code enforcement issues.
- Requested addition of date palms in the landscape plan.
- Expressed support of the block wall required as rear screening at the site.
- Inquired about the origination of the rooftop equipment condition and agreed that rooftop screening is important for this project.
- Inquired about maintenance obligations in the conditions of approval.

Staff responded to Commissioner inquiries that they were able to meet with the applicant at the site and reported that code abatement work was occurring and that trash removal and fencing still needed to be addressed. Staff identified that the rooftop equipment screening condition is a standard condition that has been consistently applied to commercial projects in the past. Lastly, staff clarified for the Commission that landscape plans between the existing and proposed development would be coordinated by staff to ensure compatibility.

IT WAS MOVED BY COMMISSIONER GONZALEZ AND SECONDED BY COMMISSIONER FIGUEROA TO:

- APPROVE RESOLUTION NO. PC 2021-25 A RESOLUTION OF THE CITY OF COACHELLA PLANNING COMMISSION APPROVING CONDITIONAL USE PERMIT NO. 346, CONDITIONAL USE PERMIT NO. 347, AND ARCHITECTURAL REVIEW 21-12 TO ALLOW THE CONSTRUCTION OF A 2,600 SQ. FT. DRIVE-THRU RESTAURANT AND A 20,422 SQ. FT. SUPERMARKET WITH TYPE 20 (BEER AND WINE) ALCOHOL SALES ON 2.85 ACRES OF VACANT LAND LOCATED AT THE NORTHEAST CORNER OF FIRST STREET AND CESAR CHAVEZ STREET. (APN 778-020-007 AND 778-010-017).
- APPROVE RESOLUTION NO. PC 2021-26 A RESOLUTION OF THE CITY OF COACHELLA PLANNING COMMISSION RECOMMENDING THAT THE CITY COUNCIL APPROVE AMENDMENTS TO ARCHITECTURAL REVIEW 20-03 AND CONDITIONAL USE PERMIT 321 TO ALLOW THE CONSTRUCTION OF A 2,028 SQ. FT. DRIVE-THRU COFFEE SHOP AND A 4,088 SQ. FT. MINI-MARKET WITH ALCOHOL SALES AND 24 HOUR OPERATION ON 3.1 ACRES OF

A 5.9 ACRES OF VACANT LAND LOCATED AT THE NORTHEAST CORNER OF FIRST STREET AND CESAR CHAVEZ STREET. (APN 778-020-007 AND 778-010-017)

Subject to modified conditions identified in the Errata presented for Resolution No. PC 2021-25 to include added condition of approval text in bold and deleted text in strikeout:

**Prior to Issuance of Building Permits**

34. Provide a set of proposed Covenants, Conditions and Restrictions (CC&R) for review and approval. The proposed CC&Rs shall contain the Association's/Owner's maintenance obligations with respect to various facilities including, but not limited to, right-of-way and private landscaping, private streets, sidewalks, utilities, street lights, and Water Quality Management Plan (WQMP) features. This document must be submitted to and approved by the City before it is submitted to any other governmental entity. ~~The City of Coachella shall be listed as an express third party beneficiary, be reviewed and approved by the City Attorney's office prior to recordation, and state that the CC&Rs cannot be amended without prior written consent of the City.~~

**Landscaping**

42. The Planning Division may request minor substitutions of plant materials or request additional sizing or quantity of materials during plan check. **Revisions to the landscape plans may occur with administrative approvals by the Development Services Director or designee to ensure overall landscape consistency within the with the existing landscape schedule of the commercial center.**

**Code Enforcement**

- 81. Prior to certificate of occupancy the applicant shall enter into a maintenance agreement for the Fountainhead Plaza commercial center landscape areas, retention basins, developed and undeveloped pads to ensure maintenance in a first class condition.**

Approved the item by the following roll call vote:

- AYES: Vice Chair Navarrete, Chair Virgen, Commissioner Gonzalez, Commissioner Leal, Commissioner Figueroa.
- NOES: None.
- ABSTAIN: None.
- ABSENT: None.

**INFORMATIONAL:**

Gabriel Perez, Development Services Director, reported on:

- Available conferences and training for Commissioners including the League of California Cities Planning Commissioners Academy and the National and State American Planning Association Conferences.
- Future Planning Commission meetings would have Spanish translation available.
- Work with IT to have Planning Commission meetings available on Youtube again.

**ADJOURNMENT:** 6:58 P.M.

Respectfully Submitted by,

Gabriel Perez

Digitally signed by Gabriel Perez  
DN: cn=GUS, E=gpez@coachella.org,  
o=City of Coachella, ou=Planning Division  
Development Services Dept, cn=Gabriel  
Perez  
Date: 2022.01.19 21:26:20 -0800

Gabriel Perez  
Planning Commission Secretary

*Complete Agenda Packets are available for public inspection in the  
Development Services Department at 53-990 Enterprise Way, Coachella, California, and on the  
City's website [www.coachella.org](http://www.coachella.org).*

THIS MEETING IS ACCESSIBLE TO PERSONS WITH DISABILITIES