

RESOLUTION NO. PC 2021-18

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COACHELLA, CALIFORNIA APPROVING CONDITIONAL USE PERMIT NO. 341 TO ALLOW SERVICE OF BEER AND WINE FOR THE 4,356 SQUARE FOOT EL TRANVIA RESTAURANT (ABC LICENSE TYPE 41 – ON SALE BEER AND WINE EATING PLACE), IN AN EXISTING COMMERCIAL BUILDING LOCATED AT 1221 6TH STREET, (APN 778-110-004); OSCAR VENTURA SAAVEDRA, APPLICANT.

WHEREAS, Oscar Ventura Saavedra filed an application for Conditional Use Permit No. 341 (CUP 341) to allow a 4,356 square foot restaurant with service of beer and wine (ABC License Type 41 – On Sale Beer and Wine Eating Place) in an existing commercial building located at 1221 6th Street; Assessor’s Parcel No. 778-110-004 (“Project”); and,

WHEREAS, the Planning Commission conducted a duly noticed public hearing on CUP No. 341 on September 1, 2021 at the Coachella Permit Center, 53-990 Enterprise Way, Coachella, California regarding the proposed Project; and,

WHEREAS, at the Planning Commission hearing, 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 17.74 of the Coachella Municipal Code.

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 restaurant with on-sale beer and wine; 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 proposed project is exempt from 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 approve Conditional Use Permit No. 341, subject to the findings and conditions of approval listed below.

FINDINGS FOR APPROVAL OF CONDITIONAL USE PERMIT NO. 341:

1. The proposed use will not be in conflict with, but will be in harmony with and in accordance with the objectives of the general plan because the proposed restaurant use with alcohol sales is within the Downtown Center land use designation according to the General Plan 2035, which allows the intended physical character to provide a convenient and congenial environment for everyday shopping and dining, the Downtown brings the entire community together in a one-of-a-kind Coachella center that is the civic heart of the City. The beer and wine service will be in conjunction with a bonafide eating establishment that serves the businesses in the Downtown Center and citywide.
2. The proposed use will be located, designed, constructed, operated and maintained so as to be compatible with the existing character of the general vicinity and shall not change the essential character of the same area because the proposed use is within a zoning designation of 'C-G' (General Commercial) which permits restaurants subject to obtaining a conditional use permit to sell alcoholic beverages. The proposed use in the Sixth Street commercial core area and is compatible with the adjoining commercial uses and the conditional use permit can be revoked if any of the conditions of approval are violated.
3. Consideration has been given to harmony in scale, bulk, coverage and density, to the availability of public facilities and utilities, to harmful effect, if any, upon desirable neighborhood character, to the generation of traffic and the capacity of surrounding streets, and to any other relevant impact of development, because the existing commercial tenant space is within an existing commercial center with all infrastructure available on-site for the existing restaurant. Additionally, there is adequate ingress and egress into and out of the existing center to maintain the adequacy of the traffic circulation system serving the proposed use.
4. Where the proposed use may be potentially hazardous or disturbing to existing or reasonably expected neighboring uses, it must be justified by the common public interest as a benefit to the community as a whole. As conditioned, the proposed use will provide for the sale of alcoholic beverages in conjunction with a restaurant with limitations on hours of operation. As such, there will be no hazardous or disturbing effects to the existing and neighboring uses.
5. The proposed use provides vehicular approaches to the property designed for reasonable minimal interference with traffic on surrounding public streets or roads, because all approaches are in full use for the patrons of the commercial center and no alterations are proposed as part of the request to sell and/or serve alcohol at the existing restaurant and no negative effects exists.
6. The City of Coachella has determined that the proposed project is categorically exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act as an "Existing Facilities" project (CEQA Guidelines, Section 15301a) as the proposed on sale service of beer and wine will occur in conjunction with an existing restaurant business operating in an existing commercial building.

CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT NO. 341:

1. Conditional Use Permit No. 341 is an approval for the on sale of beer and wine in conjunction with the existing El Tranvia restaurant. This approval is based on the floor plan submitted for the proposed project. Violation of any of the conditions of approval shall be cause for revocation of the Conditional Use Permit.
2. Alcohol sales must be commenced within 12 months of the effective date of this Conditional Use Permit unless a request for an extension of time is reviewed by the Planning Commission. A request for time extension shall be filed in a timely manner with applicable fees.
3. Any break in service, meaning the closure of the convenience grocery store use for a period of 180 consecutive days, will result in the expiration of this CUP.
4. The applicant will agree to defend and indemnify the City of Coachella against all claims, actions, damages, and losses, including attorney fees and costs, in the event that anyone files legal challenges to the approval of this project on the basis of the California Environmental Quality Act (CEQA). Prior to the issuance of building permits, the applicant shall execute a standard indemnification agreement subject to review by the City Attorney.
5. The use shall meet the standards within the limits established by the Coachella Municipal Code as related to emissions of noise, odor, dust, vibration, wastes, fumes, or any public nuisances arising or occurring incidental to the establishment or operation.
6. Hours of operation for the restaurant may be from 8:00 a.m. to 8:00 p.m. Sunday thru Thursday and from 8:00 am to 10:30 pm Friday through Saturday. The business shall offer the sale of prepared meals at all hours of operation.
7. The applicant shall comply with all requirements imposed by the State Department of Alcoholic Beverage Control and a review of this conditional use permit will be required if the business results in an increase in floor area.
8. Site landscaping, including trees and shrubs, shall be properly maintained in a neat and orderly manner and shall not be permitted to result in an overgrown condition.

PASSED APPROVED and ADOPTED this 1st day of September 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Stephanie Virgen
Planning Commission Chairperson

ATTEST:

Yesenia Becerril
Planning Commission Secretary

APPROVED AS TO FORM:

Carlos Campos
City Attorney

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

I HEREBY CERTIFY that the foregoing Resolution No. PC2021-18 was duly adopted by the Planning Commission of the City of Coachella at a regular meeting thereof, held on this 1st day of September 2021 by the following vote of the Planning Commission:

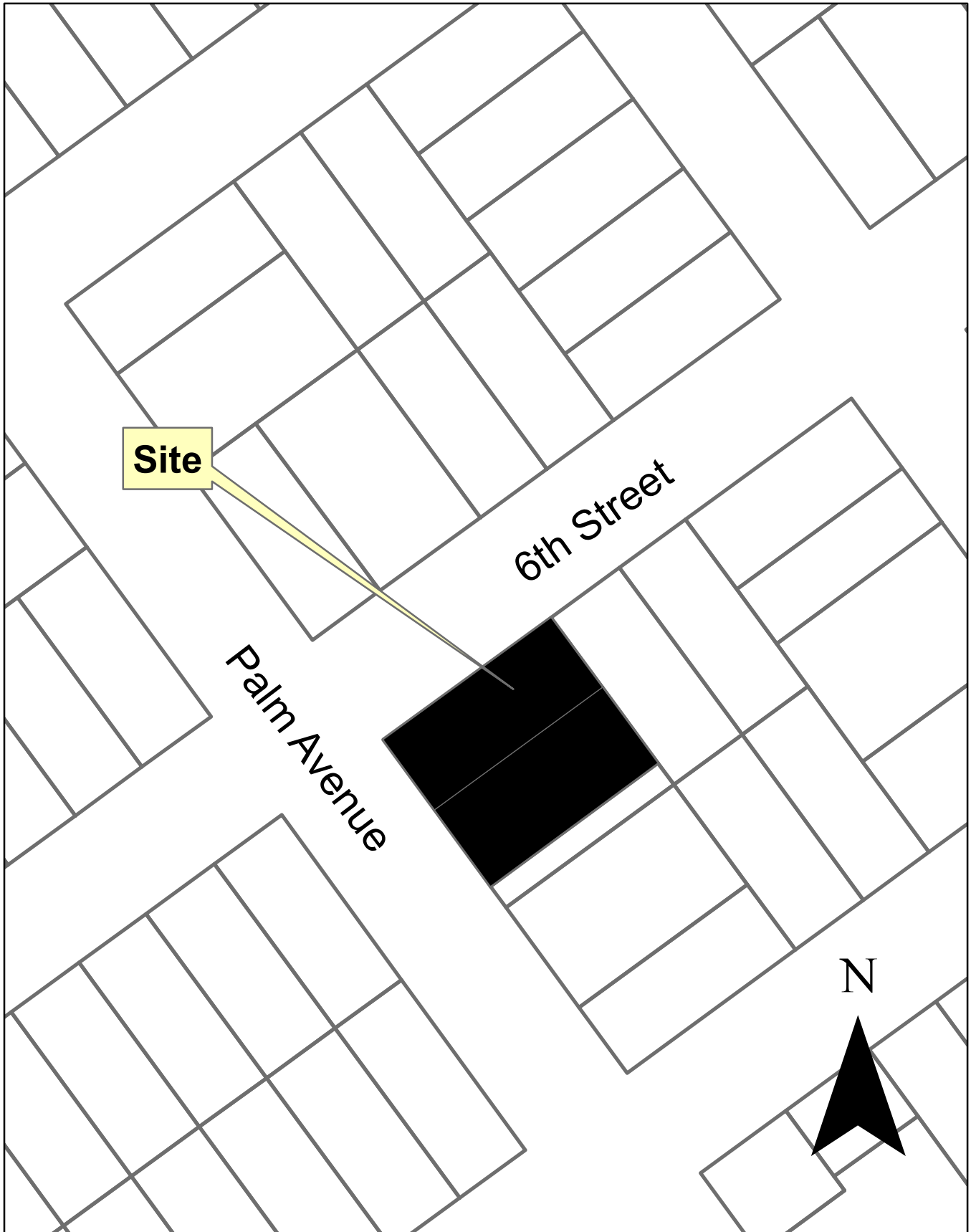
AYES:

NOES:

ABSENT:

ABSTAIN:

Yesenia Becerril
Planning Commission Secretary



Vicinity Map

EL TRANVIA RESTAURANT

DETAILED DESCRIPTION OF EXISTING AND
PROPOSED BUSINESS OPERATIONS

As owners of El Tranvia Restaurant, we request the Planning Department to review and approve our Conditional Use Permit (CUP) application for a Type 41, On-Sale Beer & Wine Public Eating Place, license at our business located at 1121 6th Street, Coachella, CA 92236

We have applied for an Original Type 41 license with the California Department of Alcoholic Beverage Control (ABC). Approval of the Type 41 license would allow the business to offer the sale, service, and consumption of beer and wine to our customers.

Our business is a family-oriented restaurant serving our family recipes of Mexican food and seafood from the regions of Jalisco and Michoacan, Mexico. As a bona fide eating place, we offer actual and substantial meals during regular business hours. The business operates daily from 8:00 a.m. to 8:00 p.m. Sunday to Thursday and from 8:00 a.m. to 10:30 p.m. Friday and Sunday. The sale and service of beer and wine will be incidentally with the sale of food. We offer recorded music for an ambiance setting and several televisions for our customers' enjoyment while dining at our establishment.

Our restaurant is within walking distance of city and county government offices, medical facilities, and other businesses. We would be catering to the employees and customers of this area and residents of the nearby neighborhood.

We have our security camera system, which monitors our interior and exterior activities. In addition, our business provides ample parking to our patrons.


The approval of this CUP would allow our customers the opportunity to enjoy their alcoholic beverages with their meals within a controlled environment. It would also enable our establishment to offer beer and wine as a full-service restaurant to our customers.

Your consideration for the above is greatly appreciated. We hope for a favorable outcome.

Respectfully submitted,



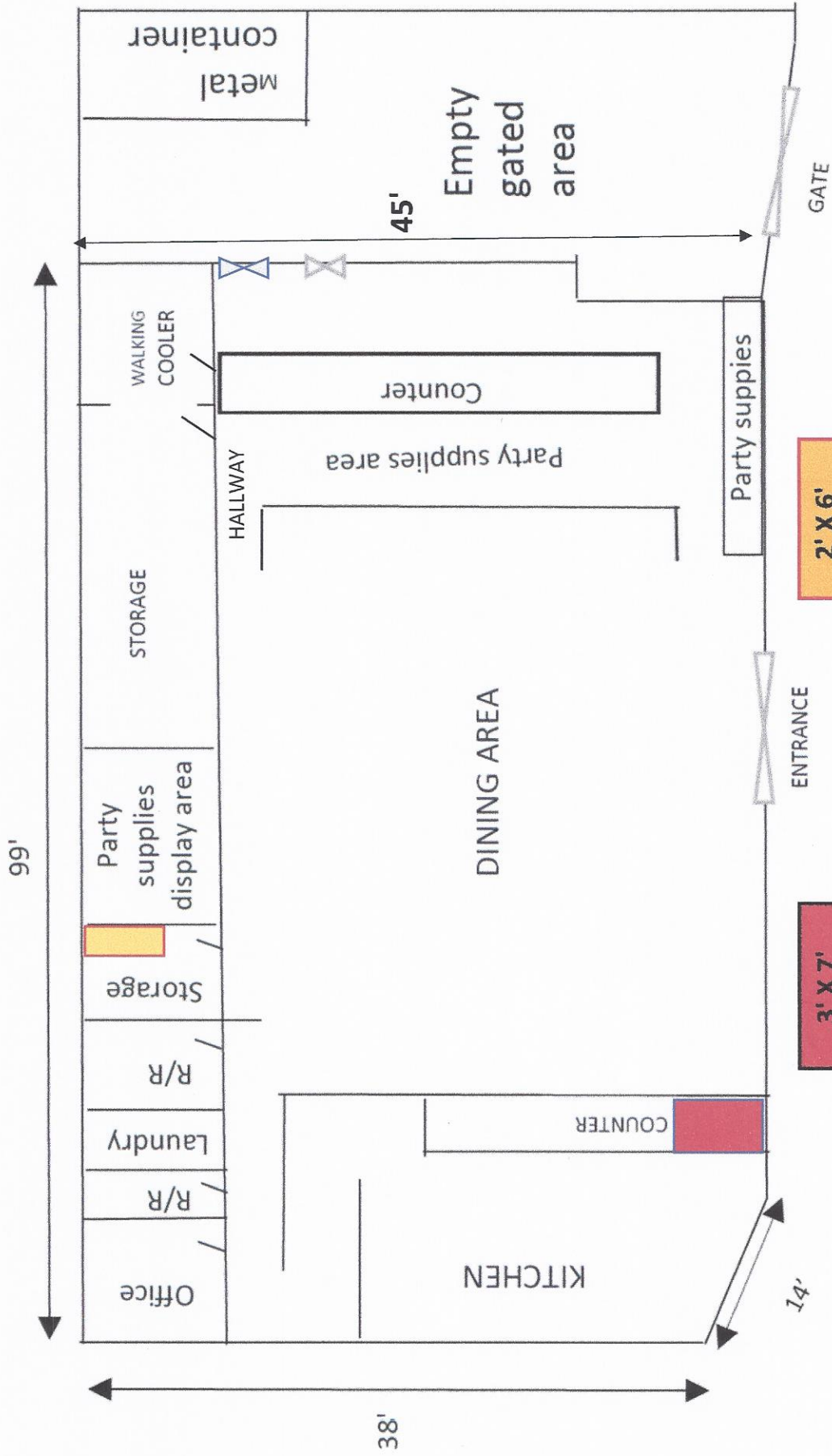
Oscar Ventura Saavedra



Jose Zazueta Cabrera

BUSINESS NAME: EL TRANVIA RESTAURANT

BUSINESS ADDRESS: 1221 6TH STREET, COACHELLA, CA 92236



Under-counter refrigerator for Beer & Wine- Not accessible to customers

2' X 6' B & W Storage

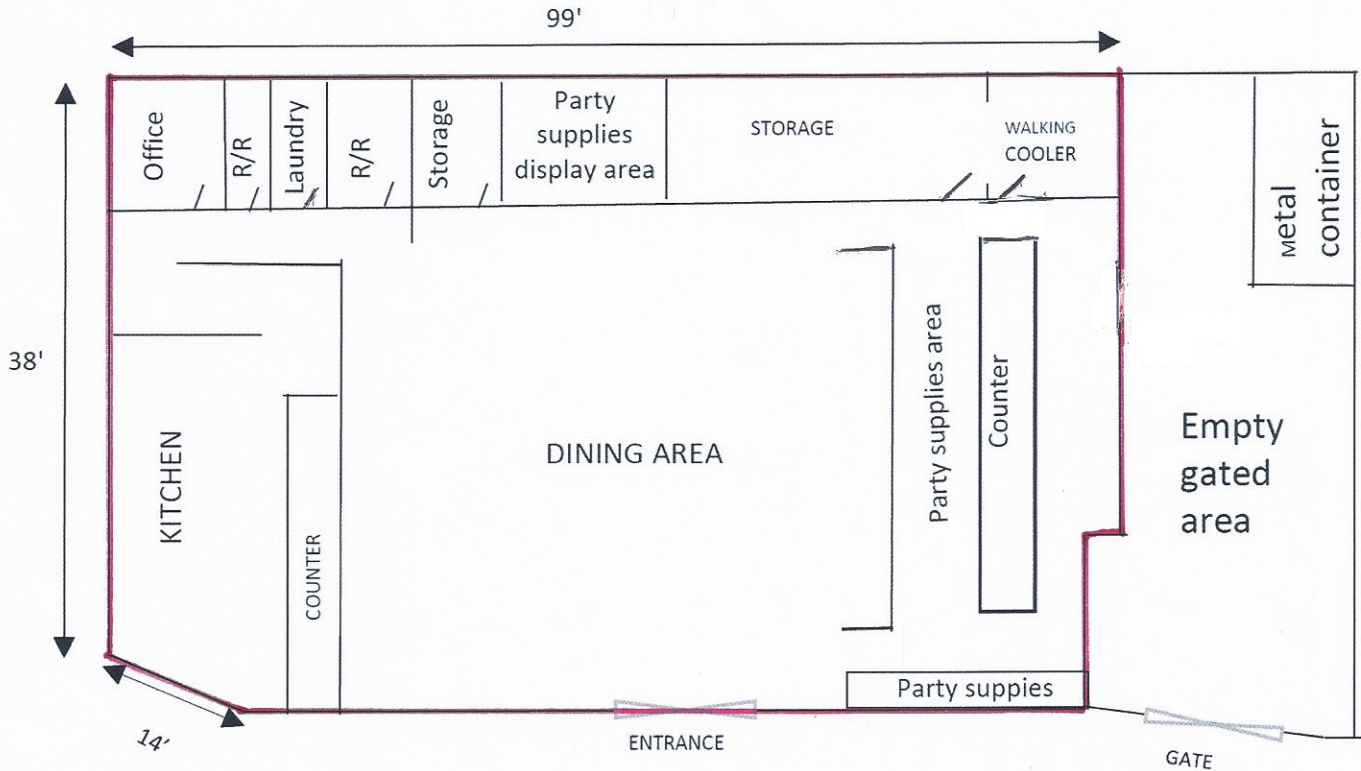
FLOOR PLAN

LICENSED PREMISES DIAGRAM (RETAIL)

1. APPLICANT NAME (If Individual: Last, first, middle) VENTURA SAAVEDRA, OSCAR CABRERA, JOSE ZAZUETA	2. LICENSE TYPE 41
3. PREMISES ADDRESS (Street number and name, city, zip code) 1221 6th St, Coachella, CA 92236-1707	4. NEAREST CROSS STREET Cesar Chavez Street

The diagram below is a true and correct description of the entrances, exits, interior walls and exterior boundaries of the premises to be licensed, including dimensions and identification of each room (i.e., "storeroom", "office", etc.).

DIAGRAM



PARKING

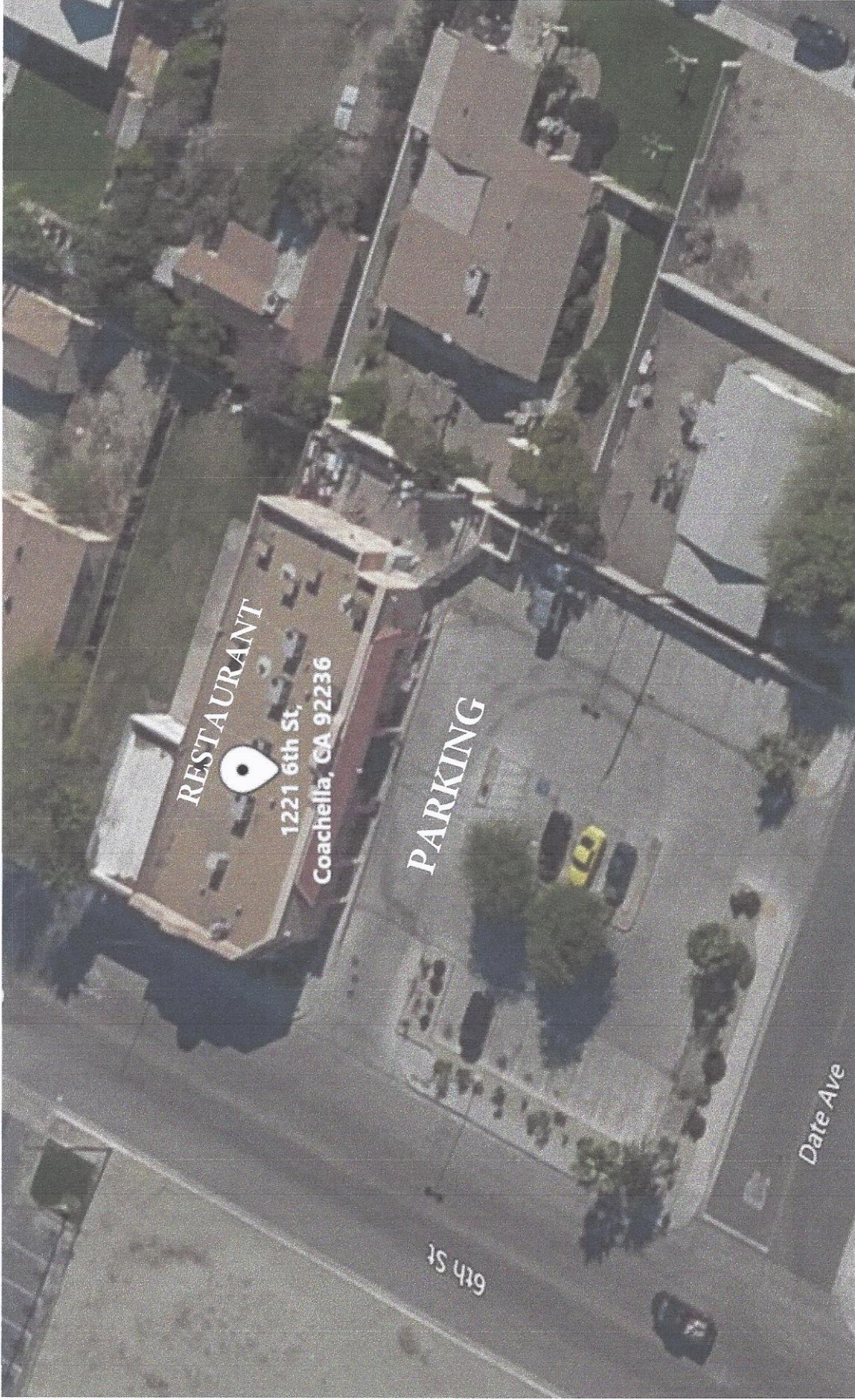
It is hereby declared that the above-described premises and character of premises, as indicated on the reverse side, will not be changed in accordance with Rule 64.2 of the California Code of Regulations without first notifying and securing approval of the Department of Alcoholic Beverage Control. Substantial changes to the premises may require an application fee in accordance with Section 24072 of the Business and Professions Code. I declare under penalty of perjury that the foregoing is true and correct.

APPLICANT SIGNATURE (Only one signature required) 	DATE SIGNED 7/19/21
FOR ABC USE ONLY	
CERTIFIED CORRECT (Signature)	PRINTED NAME
	INSPECTION DATE

Riverside County, CA - Community: Map Layers



EL TRANVIA RESTAURANT



AERIAL VIEW OF RESTAURANT AND PARKING AREA