

ORDINANCE NO. _____

SPECIFIC PLAN AMENDMENT NO.99-58-A

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CATHEDRAL CITY, CALIFORNIA, ADOPTING SPECIFIC PLAN AMENDMENT NO. 99-58-A, AMENDING THE UPTOWN VILLAGE SPECIFIC PLAN AND ADOPTING A INITIAL STUDY/MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING REPORTING PLAN

WHEREAS, on July 28, 2023, Three Mile Hollow, represented by Jason Borg, ("Applicant") submitted an application to amend the Uptown Village Specific Plan ("UVSP") and Design Review 23-003 ("Project"); and

WHEREAS, the Project proposes to create a new Planning Unit 4 for the build-out of the remaining commercial area within the UVSP, and establish modern development, architectural and landscape guidelines standards, and establishes permitted land uses, conditional land uses, prohibited land uses. Planning Unit 4 is proposed to be constructed in phases and under two different buildout scenarios. Design Review 23-003 proposes to construct a 115,000 square foot self-storage facility, 4,725 square foot retail pad and parking lot and landscaping improvements; and

WHEREAS, Specific Plan Amendment No. 99-58-A establishes standards for Planning Unit 4; and

WHEREAS, California Government Code Section 65463 states that a specific plan shall be prepared, adopted and amended in the same manner as a general plan, except that a specific plan may be adopted by resolution or by ordinance and may be amended as often as deemed necessary by the legislative body; and

WHEREAS, California Government Code Sections 65800 and 65900 authorize the City Council to approve or deny a specific plan amendment; and

WHEREAS, pursuant to and in accordance with the provisions of the California Environmental Quality Act (Public Resources Code Section 21000 *et seq.*) herein referred to as CEQA, the State of California Guidelines for the implementation of the California Environmental Quality Act (commencing with Section 15000 of Title 14 of the California Code of Regulations; herein referred to as the "CEQA Guidelines"), and the City's CEQA Procedures, the City is the "lead agency" for the preparation and consideration of environmental documents for the Proposed Project; and

WHEREAS, draft Initial Study/Mitigated Negative Declaration ("IS/MND") was prepared in accordance with CEQA, the CEQA Guidelines and the City's CEQA Procedures to evaluate the physical environmental impacts of the Project. The IS/MND was circulated for a 20-day public/responsible agency review on July 2, 2024, and was also made available for review on the City's web page, with hard copies available at City Hall; and

WHEREAS, in conformance with CEQA and the CEQA Guidelines, a Mitigation Monitoring and Reporting Program ("MMRP") has been prepared for the Project and includes mitigation measures that are specific to the Project, including the consideration of the following two scenarios: (1) a self-storage facility with various retail and restaurants with a total square

footage of 133,243 square feet and (2) a self-storage facility, retail, and a Grocery Store/Big Box Retail building with a total area of 169,779 square feet; and

WHEREAS, the City intends and desires to use the IS/MND as the environmental documentation required by CEQA and the CEQA Guidelines for the Project; and

WHEREAS, on August 7, 2024 the City of Cathedral City Planning Commission considered the proposed Project during a duly noticed, regularly scheduled public hearing, and, after considering all evidence, including public testimony, both written and oral, voted to recommend adoption of Specific Plan Amendment No. 99-58A with modifications and approval of Design Review 23-003; and

WHEREAS, City Council, having final approval authority over this Project, has reviewed and considered all comments received during the public review period prior to approving this Project; and

WHEREAS, modifying the UVSP to accommodate the establishment of Planning Unit 4 is consistent and harmonious with the City's existing and intended development on Date Palm Drive.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CATHEDRAL CITY DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. CITY COUNCIL RECORD. The City Council determines that the evidence in the record constitutes substantial evidence to support the actions taken and the findings made, that the facts states herein are supported by substantial evidence, including, but not limited to, the following:

(a) Cathedral City Municipal Code and Cathedral City General Plan, including the adopted Uptown Village Specific Plan;

(b) The Staff Report prepared by Sandra Molina dated September 11, 2024, including all Exhibits attached thereto;

(c) Staff's presentation at the public hearing conducted at the City Council meeting held on September 11, 2024;

(d) Planning Commission Resolution No. PC 2024-03 A Resolution of the Planning Commission of the City of Cathedral City, California Recommending City Council Action on the Project;

(e) Testimony and/or comments on the Project from interested parties including the Applicant and its representatives submitted to the City in both written and oral form at, or prior to, the public hearing conducted at the City Council meeting held on September 11, 2024; and

(f) Public comments on the Project, both written and oral, received and/or submitted at, or prior to, the public hearing conducted at the City Council meeting held on September 11, 2024.

Section 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA). The City Council determines that based on a thorough review of the Mitigated Negative Declaration and the evidence received to date, does hereby adopt the Mitigated Negative Declaration, including the Initial Study, based on the findings and determinations as follows:

(a) That the Mitigated Negative Declaration has been prepared in compliance with the requirements of CEQA, the CEQA Guidelines, and the City's CEQA Procedures and, together with the MMRP, serves as the appropriate environmental documentation for the Project;

(b) Based on the record before it, the Project will have a less than significant impact on the environment with the implementation of the mitigation measures contained in the MMRP and the Mitigated Negative Declaration reflects the independent judgment and analysis of the City Council;

(c) The City Council hereby approves and adopts the Mitigated Negative Declaration and MMRP, which are part of the public record and maintained in the office of the City Clerk.

(d) The City Council hereby authorizes and directs staff to file with the Clerk of the County of Riverside a Notice of Determination in accordance with Section 15075 of the State CEQA Guidelines.

Section 3. ADOPTION OF UPTOWN VILLAGE SPECIFIC PLAN AMENDMENT NO. 99-58-A.

(a) The Uptown Village Specific Plan is hereby amended to read as shown in Exhibit A, attached hereto and incorporated herein.

(b) The City Council hereby finds and determines that facts exist to justify approving SPA 99-58-A in accordance with Section 65453(a) of the California Government Code as follows:

(i) *The proposed amendment is internally consistent with all other provisions of the General Plan.* SPA 99-58-A is consistent with General Land Use Policy 4 to encourage in-fill development and lot consolidation shall be encouraged as means of enhancing existing development and as a means of optimizing the use of existing roadways and utility infrastructure; Commercial Policy 1 Ensure that neighborhood-serving commercial development is strategically sited within or in proximity of residents and complementary businesses to maximize multi-modal access and minimize the need for vehicle travel to meet daily shopping and other commercial needs and 6 to encourage lot consolidation and the submission and processing of integrated development plans along major arterials and other roadways where strip commercial may develop, including East Palm Canyon Drive, Date Palm Drive, East Ramon Road, and other locations; and Community Design Element Goal 1 that calls for a high quality of life through careful, meticulous planning, and sustainable community design and development that balances aesthetic, economic, social and environmental needs and goals, while ensuring a highly livable urban and natural environment for future generations.

(ii) *The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare.* The amendment applies to the remaining 7.16 acres within the UVSP and allows for a fresh, contemporary development strategy the provides

flexibility for future development to be designed in response to market demand. Development within the amendment area is subject to development standards and standard conditions requiring the construction of public street improvements and on-site infrastructure improvements to adequately serve development.

Section 4. SEVERABILITY. If any chapter, sections, subsections, subdivisions, sentences, clauses, phrases, or portion of this ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance, and each chapter, sections, subsections, subdivisions, sentences, clauses, phrases, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

Section 5. PUBLICATION. The City Clerk shall, within fifteen (15) days after passage of this Ordinance, cause it to be posted in at least three (3) designated public places; shall certify to the adoption and posting of this Ordinance; and shall cause this Ordinance and its certification, together with proof of posting, to be entered in the Book of Ordinances of this City.

Section 6. CERTIFICATION. Approved and adopted at a meeting of the Cathedral City City Council held on the ____ day of _____, 2024, by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Mark Carnevale, Mayor

ATTEST:

Tracey Hermosillo, City Clerk

APPROVED AS TO FORM:

Eric S. Vail, City Attorney

EXHIBIT A

UPTOWN VILLAGE SPECIFIC PLAN