



PLANNING COMMISSION

Robert Palacio, Chairman

Ramon Castro, Vice-Chairman

Eugene Bumbera Jay Goyal Kevan Hutchinson

George A. Marquez Darren Smith

AGENDA

**PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, APRIL 5th, 2017 AT 5:30 P.M.
CITY COUNCIL CHAMBERS
383 MAIN STREET
BRAWLEY, CALIFORNIA**

1. CALL TO ORDER / ROLL CALL
2. APPROVE AGENDA
3. APPROVE MINUTES OF MARCH 1ST, 2017 MEETING
4. PUBLIC APPEARANCES

The Planning Commission encourages citizen participation on all matters presented for their consideration. Members of the public who wish to speak on an issue that is not on the agenda may do so during the "Public Appearances" section at any meeting. The Planning Commission does not take action on items presented under Public Appearances.

PUBLIC HEARING

5. The applicant is requesting a conditional use permit to allow for 2 residences in a Neighborhood Commercial zone. A vacant market will be converted into a 2 bedroom and 1 bathroom unit and a current vacant home will to be updated and remodeled into a 2 bedroom 2 bathrom unit. The property is currently zoned C-1 (Neighborhood Commercial) and is 0.37 acres in size. Access is proposed via South Eastern Avenue and Malan Street. There are no zoning conditions currently imposed on this property.

Applicant: Robert Soza
 698 South Eastern Avenue and 1515 Malan Street
 Brawley, CA 92227

Location: 698 South Eastern Avenue and 1515 Malan Street, Brawley CA 92227

DRAFT

CITY OF BRAWLEY
MARCH 1, 2017

The Planning Commission of the City of Brawley, California, met in Regular Session at 5:30 p.m., City Council Chambers, 383 Main Street, Brawley, California, the date, time, and place duly established for the holding said meeting. The City Clerk attests to the posting of the agenda pursuant to the G.C.54954.

1. CALL TO ORDER/ROLL CALL

The meeting was called to order by **Chairman Palacio @ 5:30pm**

PRESENT:Palacio, Hutchinson, Bumbera, Marquez, Castro, Goyal.

ABSENT: Smith

2. APPROVAL OF AGENDA

The agenda was **approved** as submitted. m/s/c Hutchinson/Castro 6-0

3. APPROVAL OF MINUTES

The minutes of January 4, 2017 were **approved** as submitted. m/s/c Smith/Goyal 6-0

4. PUBLIC APPERANCES There was none

5. PUBLIC HEARING

An amendment to the City of Brawley Zoning Ordinance regarding Section 1 that governs the City's site plan review process. The amendment clarifies the purpose of the review process, the basis for approval of site plans submitted to the City and clarification of when the City is permitted to impose conditions of approval for review of a proposed site plan.

Planning Director, Gordon Gaste informed the Planning Commissioners that the updated to the ordinances regarding the site plan review process and legal verbage was recommended by the City Attorney to be updated for specifying purposes in regards to projects and conditions.

OPEN PUBLIC HEARING @ 5:34PM

The Planning Commissioners participated in public hearing

The Planning Commission **approved** the updating of the ordinance.
m/s/c Goyal/Marquez 6-0

6. ZONING CODE ENFORCEMENT

Building Official Soto provided a document outlining all the zoning code enforcement items this office dealt with during the month of February.

7. NEXT MEETING DATE

The Planning Commission **adjourned** to March 1, 2017.

8. ADJOURNMENT @ 6:15pm



Lisa Tylenda, Planning Technician

DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

Conditional Use Permit #: CUP 17-01

**Property Owner/
Applicant:** Robert Soza

Representative: Cecilia Vogel

Legal Description: The South 65 feet of the West 246 feet of Lot 56, Brawley Subdivision No. 1, City of Brawley, County of Imperial, State of California APN 047-380-037

Location: 698 South Eastern Avenue and 1515 Malan Street, Brawley CA 92227

Area: 0.37 Acres (15,990 Square Feet)

Zoning: C-1 (Neighborhood Commercial)

Existing Use: Vacant Home/ Vacant Market

Proposed Use: Vacant market to be converted to a 2 bedroom and 1 bathroom unit. Current Vacant home to be updated and remodled into a 2 bedroom 2 bathrom rental unit.

Surrounding Land Uses:

| | |
|----------------|---|
| North - | C-1 (Neighborhood Commercial) / Storage |
| South - | P-D (Planned Development) / Vacant |
| East - | C-1 (Neighborhood Commercial) / Vacant |
| West- | R-1 (Residential Single Family) / Single Family Dwellings |

General Plan Designation: Commercial

CEQA Status: Exempt

**PLANNING COMMISSION HEARING, APRIL 5, 2017,
5:30 P.M., CITY COUNCIL CHAMBERS,
383 MAIN STREET, BRAWLEY, CALIFORNIA**

Conditional Use Permit: CUP 17-01

General Information:

The applicant is requesting a conditional use permit to allow for 2 residences in Neighborhood Commercial zone. A vacant market will be converted to a 2 bedroom and 1 bathroom unit and a current vacant home will to be updated and remodeled into a 2 bedroom 2 bathrom unit. The property is currently zoned C-1 (Neighborhood Commercial) and is 0.37 acres in size. Access is proposed via South Eastern Avenue and Malan Street. There are no zoning conditions currently imposed on this property.

Staff Recommendation:

The Development Review Committee (DRC), on March 1, 2017, voted unanimously to recommend approval of this conditional use permit with the following conditions:

1. Landscaping will be required as per Sec. 27.180 of the Zoning Ordinance.
2. Applicant/Property Owner shall obtain an encroachment permit from the Department of Public Works for any requirements for updating new, altered or unpermitted driveways necessary to access the parcel from a public street.
4. Provide sewer and water, curb and gutter, sidewalk, street and other improvements to City standards before City issues certificate of occupancy for any structure for each parcel.
5. Applicant/Property Owner shall defend, indemnify, and hold harmless the City of Brawley, or its agents, officers and employees from any claim, action or proceedings against the City or its agents, officers, or employees to attack, set aside, void or annul, an approval by the Development Review Committee, Planning Commission or City Council concerning the project. The City of Brawley shall promptly notify the applicant of any claim, action or proceedings and shall cooperate fully in the defense.
6. The applicant shall pay any and all amounts as determined by the city to defray all costs for the review of reports, field investigations, or other activities related to compliance with this permit/approval, city ordinance and/or any other laws that apply. This may include any applicable Development Impact Fees, Capacity Fees, Plan Check and/or Inspection Fees, Air Pollution Control District (APCD) Fees, Environmental Filing Fees and Building Permit Fees.
7. The applicant shall comply with all local, state and/or federal laws, rules, regulations and/or standards as they may pertain to this project, whether specified herein or not.
8. Any person or party who succeeds to the interest of the present owner by sale, assignment, transfer, conveyance, exchange or other means shall be bound by the conditions of approval.

The recommendation is based on the following findings:

1. The proposal is exempt from CEQA pursuant to Section 15303(a).
2. The location of the project and surrounding land uses make it unlikely the project will cause significant environmental impacts.
3. Granting of the conditional use permit will not be detrimental to the public welfare or detrimental to the health and safety of the residents of the City of Brawley.
4. The conditional use permit is consistent with the General Plan and the character of the area for that type of land use.

The Brawley General Land Use Map designates this property for **Commercial** land uses.

C-1 (Neighborhood Commercial) zoning permits single family and duplex residences by **Conditional Use Permit** only.

Conditional Use Permit: CUP 17-01

The Commission must determine the following:

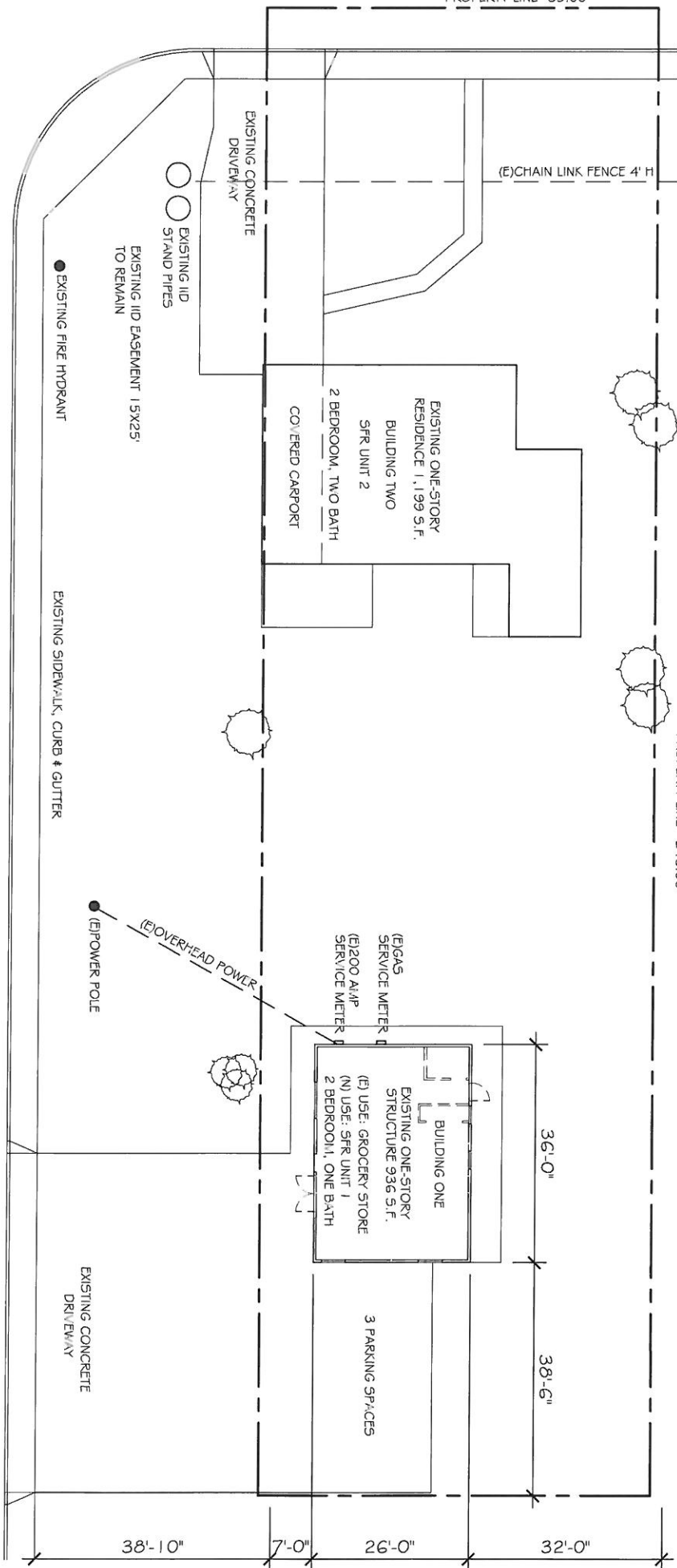
- A. The conditional use permit protects the best interest, health, safety and welfare of the public in general.
- B. The conditional use permit complies with all of the standards and conditions applicable in the zoning district in which it is proposed to be located.
- C. This conditional use permit is in accordance with and in furtherance of the Brawley General Plan, any special neighborhood plans or policies adopted by the City regarding the development area, or any approved concept plan.
- D. The proposed project is adequately served by and will not impose an undue burden upon the public improvements and rights-of-way by which it will be served or benefited, or which exist or are planned for installation within its boundaries or their immediate vicinity.
- E. Any impacts created by the conditional use permit on adjacent property are adequately mitigated with the design, proposed construction and phasing of the site development.
- F. The design of the project mitigates substantial environmental problems.
- G. The conditional use permit is compatible with adjacent structures and uses.
- H. The proposed project is not materially detrimental to the enjoyment or valuation of the property adjacent to the site.

ATTACHMENT: Location Maps, Plot Plan.

NOTE TO THE PROPERTY OWNER: PLANNING COMMISSION POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE PLANNING DEPARTMENT AT (760) 344-8822.

S. EASTERN AVE

PROPERTY LINE 65.00'



MALAN STREET

SITE PLAN

SCALE: 1/16" = 1'-0"

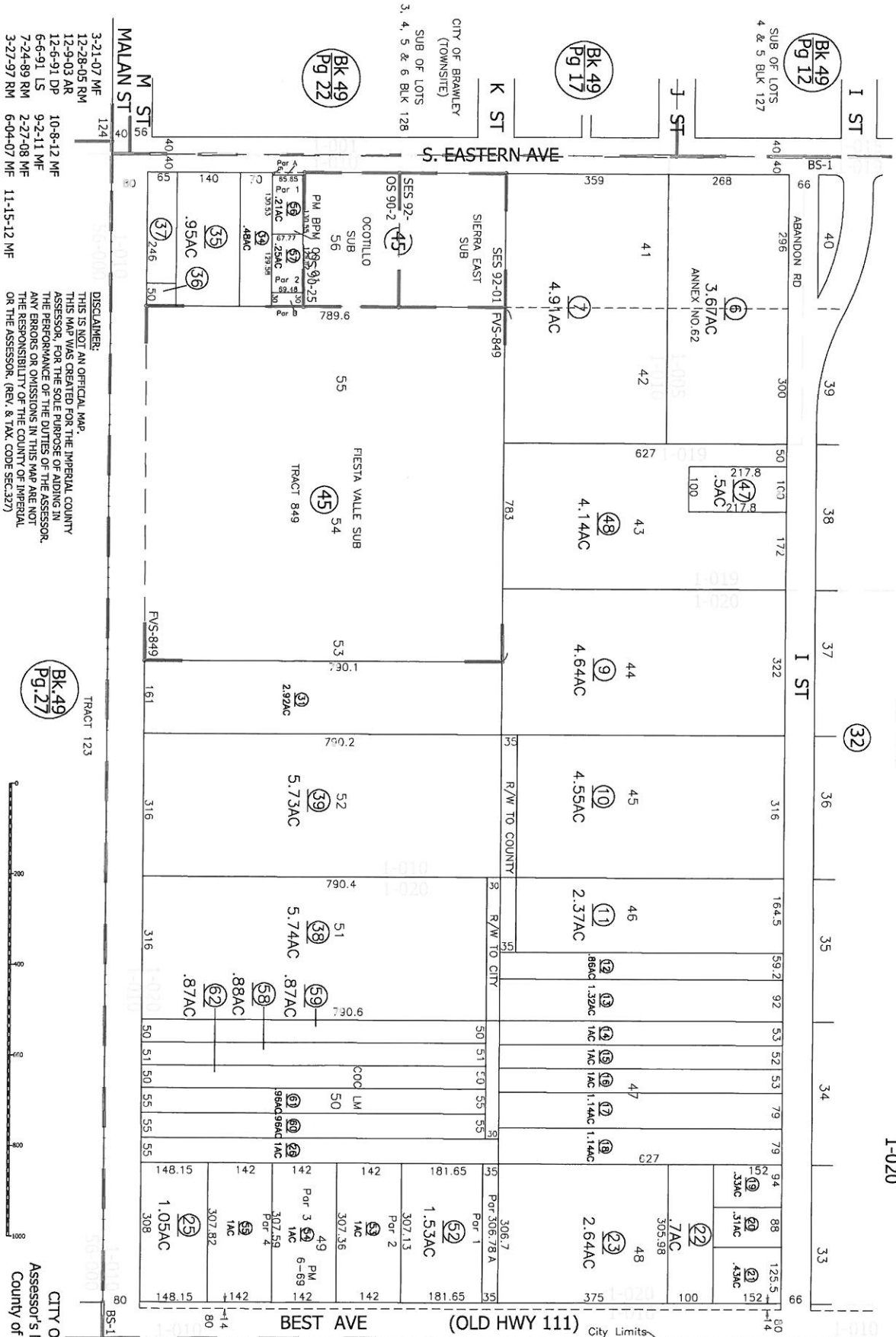


POR BRAWLEY SUB 1
POR TRACT 45 T13S R14E

OM 1-40

Tax Area Code
 1-010
 1-019
 1-020

47-38



3-21-07 MF 124
 12-28-05 RM
 12-9-03 AR
 12-6-91 DP
 6-6-91 LS
 7-24-89 RM
 3-27-97 MF
 10-8-12 MF
 9-2-11 MF
 2-27-08 MF
 6-04-07 MF
 11-15-12 MF

DISCLAIMER:
 THIS IS NOT AN OFFICIAL MAP.
 THIS MAP WAS CREATED FOR THE IMPERIAL COUNTY ASSESSOR, FOR THE SOLE PURPOSE OF AIDING IN THE PERFORMANCE OF THE DUTIES OF THE ASSESSOR. ANY ERRORS OR OMISSIONS IN THIS MAP ARE NOT THE RESPONSIBILITY OF THE COUNTY OF IMPERIAL OR THE ASSESSOR. (REV. & TAX. CODE SEC. 327)

TRACT 123
Bk. 49
Pg. 27

CITY OF BRAWLEY
 Assessor's Map Bk. 47-Pg. 38
 County of Imperial, Calif.



TRACT 44
(10)