



PLANNING COMMISSION

Darren Smith, Chairman

Juan Tavares, Vice-Chairman

John Lane George A. Marquez

Jay Goyal Robert Palacio Kevan Hutchinson

AGENDA

PLANNING COMMISSION REGULAR MEETING

**WEDNESDAY, APRIL 6, 2022 AT 5:30 P.M.
CITY OF BRAWLEY COUNCIL CHAMBERS
383 MAIN STREET
BRAWLEY, CALIFORNIA**

This meeting will be broadcast live at www.facebook.com/cityofbrawley.

To participate and make a public comment:
Join Zoom Meeting <https://zoom.us/join>
Meeting ID: 822 6933 9206 Passcode: 139129

- 1. CALL TO ORDER / ROLL CALL**
- 2. APPROVE AGENDA**
- 3. APPROVE MINUTES**
- 4. PUBLIC APPEARANCES**

The Planning Commission encourages citizen participation on all matters presented for their consideration. The Planning Commission does not take action on items presented under Public Appearances.

Should a member of the public wish to provide verbal or written public comments prior to the meeting, please submit written comments via email to amontano@brawley-ca.gov or contact the Planning Division Office at 760/344.8822.

5. VAR 22-01

A variance (VAR 22-01) was submitted by property owner Troy Hutchinson on property located at 535 Marilyn Avenue. The variance will allow for a patio to be constructed in the required side yard setback.

Property Owner: Troy Hutchinson

Legal Description: South 10 Feet of Lot 10 and all of Lot 11 of the O
Connell Subdivision FM 1-52, City of Brawley,
County of Imperial, State of California, APN 048-
123-003

6. VAR 22-02

A variance (VAR 22-02) was submitted by Graciela and Jose Salazar on property located at 667 S. 14th Street. The variance to allow for the enclosure of the garage and front porch, and to return the lot to legal-conforming status

Property Owner: Graciela and Jose Salazar

Legal Description: Lot 53 of the Subdivision of Lots 3,4, and 5 of Block 128 OM 5-7, City of Brawley, County of Imperial, State of California, APN 049-222-010

7. CUP 22-02

A conditional use permit (CUP 22-02) was submitted by Joshue Lorona, Property Owner, 542 and 550 Main Street. The conditional use permit will allow for the development of an outdoor bar and entertainment venue

Property Owner: Joshue Lorona

Legal Description: LOTS 18, 19, 20, 21 of Block 72 Townsite of Brawley, OM 1-15, City of Brawley, County of Imperial, State of California APN's 049-021-007;-008

8. REVIEW AND ADOPTION OF PLANNING COMMISSION RULES 2021-2022

9. ELECTION OF OFFICERS 2021-2022

10. NEXT MEETING DATE

11. ADJOURNMENT

Supporting documents are available for public review in the Community Development Services office, 205 S. Imperial Avenue, Brawley, CA 92227 Monday through Friday, during regular posted business hours.

City of Brawley



Planning Commission

April 6, 2022

Agenda Item No. 6

STAFF REPORT

To: Planning Division
From: Andrea Montano, Planning Technician
Prepared by: Andrea Montano, Planning Technician
Subject: VAR 22-01

RECOMMENDATION:

Approve VAR 22-01 as presented.

BACKGROUND INFORMATION:

Troy and April Hutchinson own 535 Marilyn Street also known as 048-123-003 and also the neighboring parcel known as 048-123-002. Parcel -002 also has a structure that is used as an office. Mr. Hutchinson is proposing an open patio to be located within three feet from parcel-002 which would be in the required side yard setback. While the municipal code requires a 5 foot side-yard setback for accessory structures, the building code allows for a three foot setback.

Mr. Hutchinson has informed staff that both parcels must be sold together.

COMPLIANCE WITH CITY PLANS:

The variance would allow staff to approve plans with the proposed patio located within the required 5 foot side yard setback. In addition, the requested 3 foot setback falls within the minimum requirements of the Building Code.

ALTERNATIVES:

The Planning Commission may choose to approve the variance with additional conditions or deny the request.

CONDITIONS:

1. The applicant shall obtain an encroachment permit from the Department of Public Works for any new, altered or unpermitted driveways necessary to access each of the parcels from a public street.
2. The applicant shall obtain a tax certificate from the County Tax Collector.
3. The applicant shall pay all fees associated with review and approval of the site plan, parcel map, and variance.
4. The applicant 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 Planning

Commission or City Council concerning the subdivision. The City of Brawley shall promptly notify the applicant of any claim, action or proceedings and shall cooperate fully in the defense.

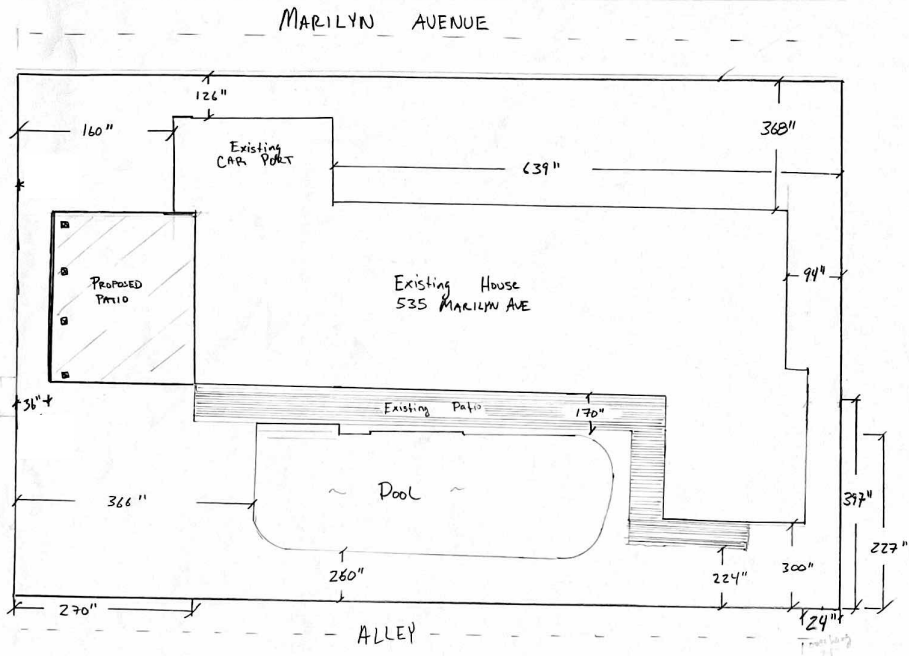
5. Any person or party who succeeds to the interest of the present owner by sale, assignment, transfer, conveyance, exchange or other means shall be bound by the conditions of approval.
6. Provide sewer and water, curb and gutter, sidewalks and other improvements to City standards before City issues certificate of occupancy for any structure for each parcel.

ATTACHMENTS:

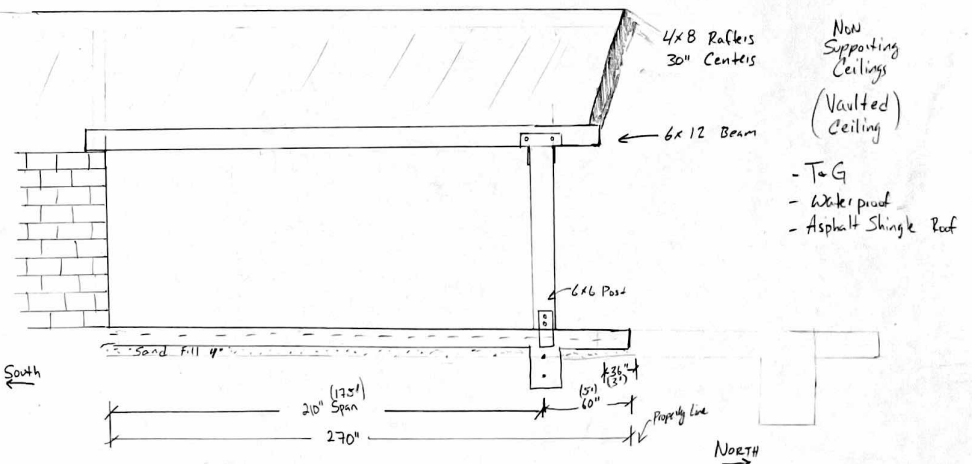
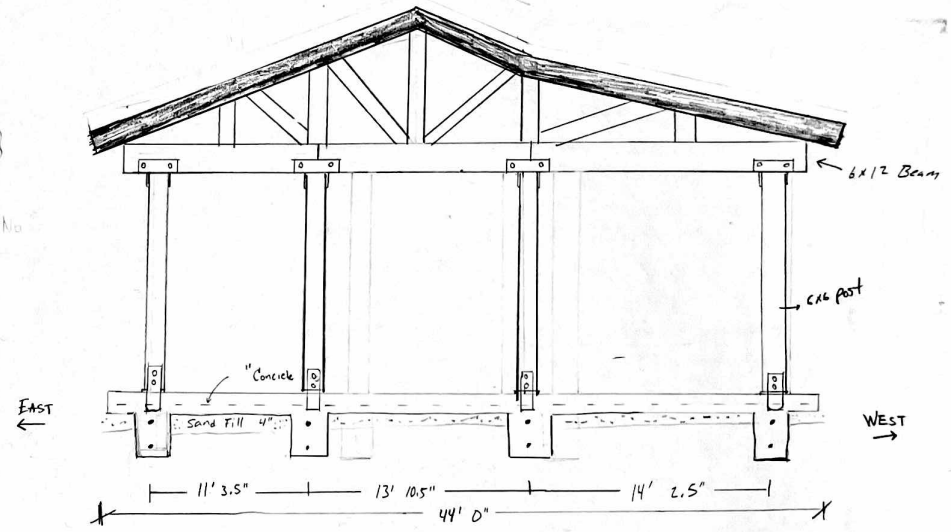
Location Map, Project Plans,

CITY STAFF COMMENTS:

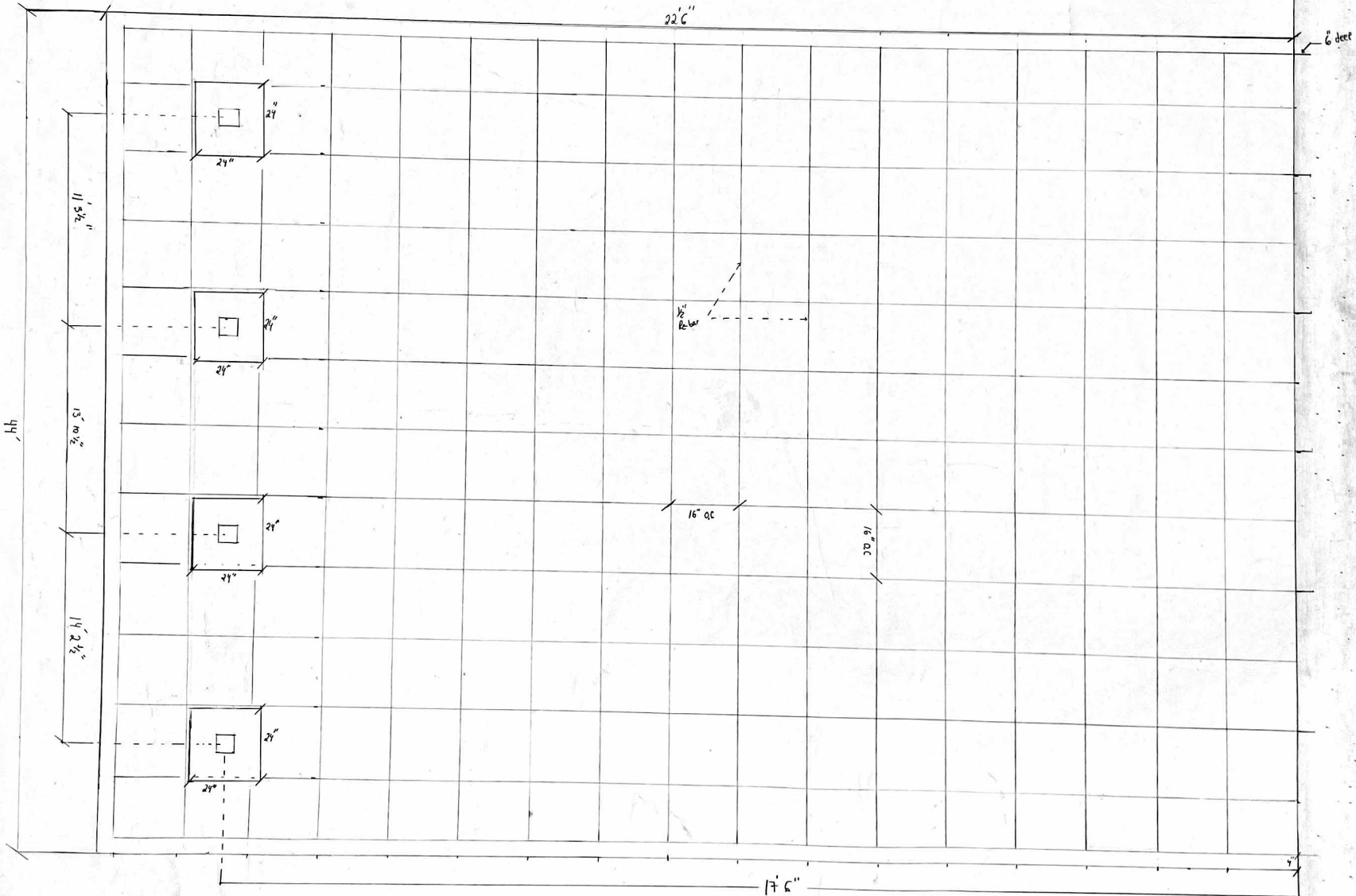
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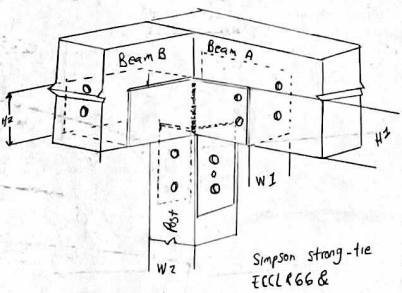
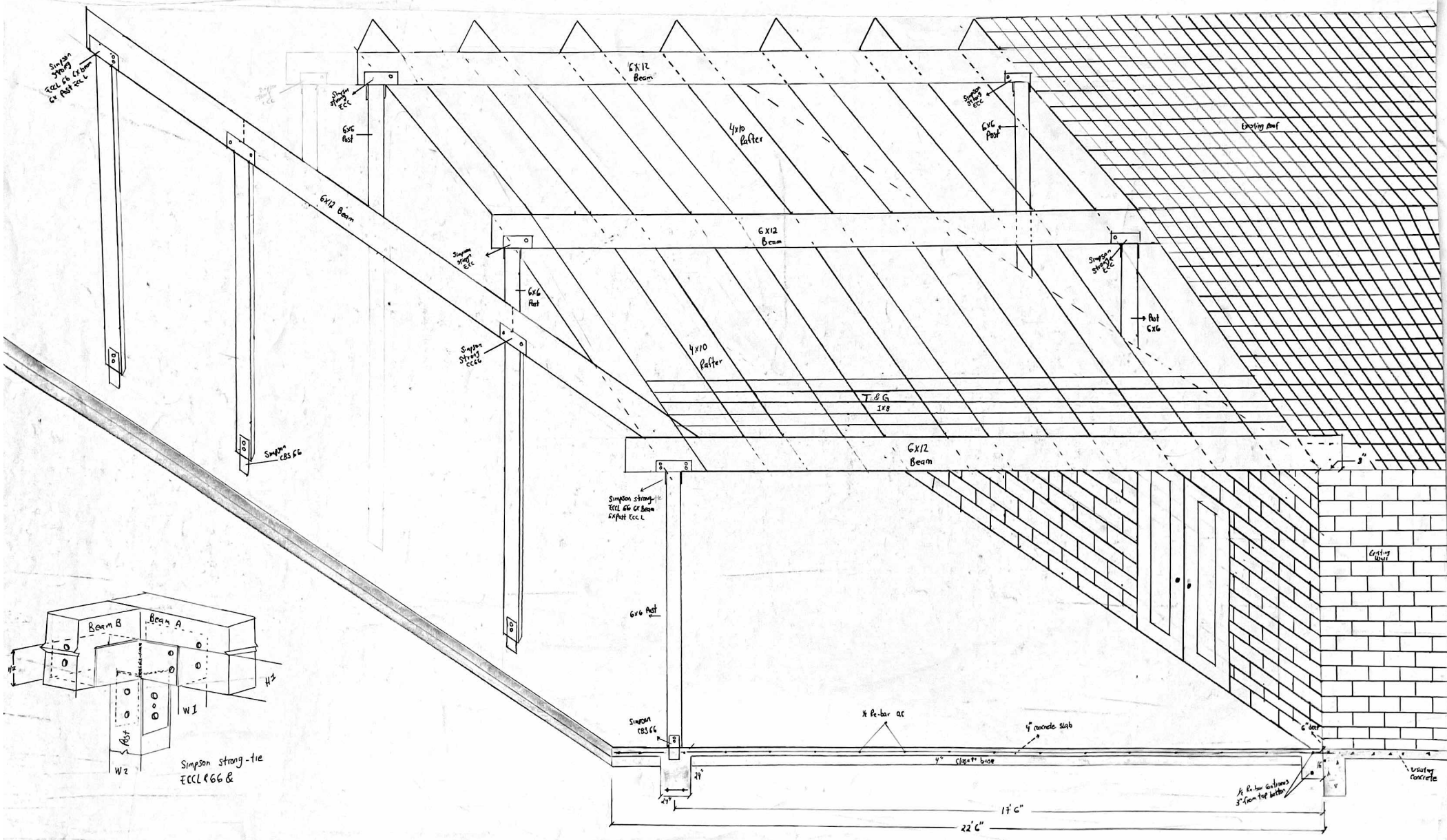


NOT TO SCALE!



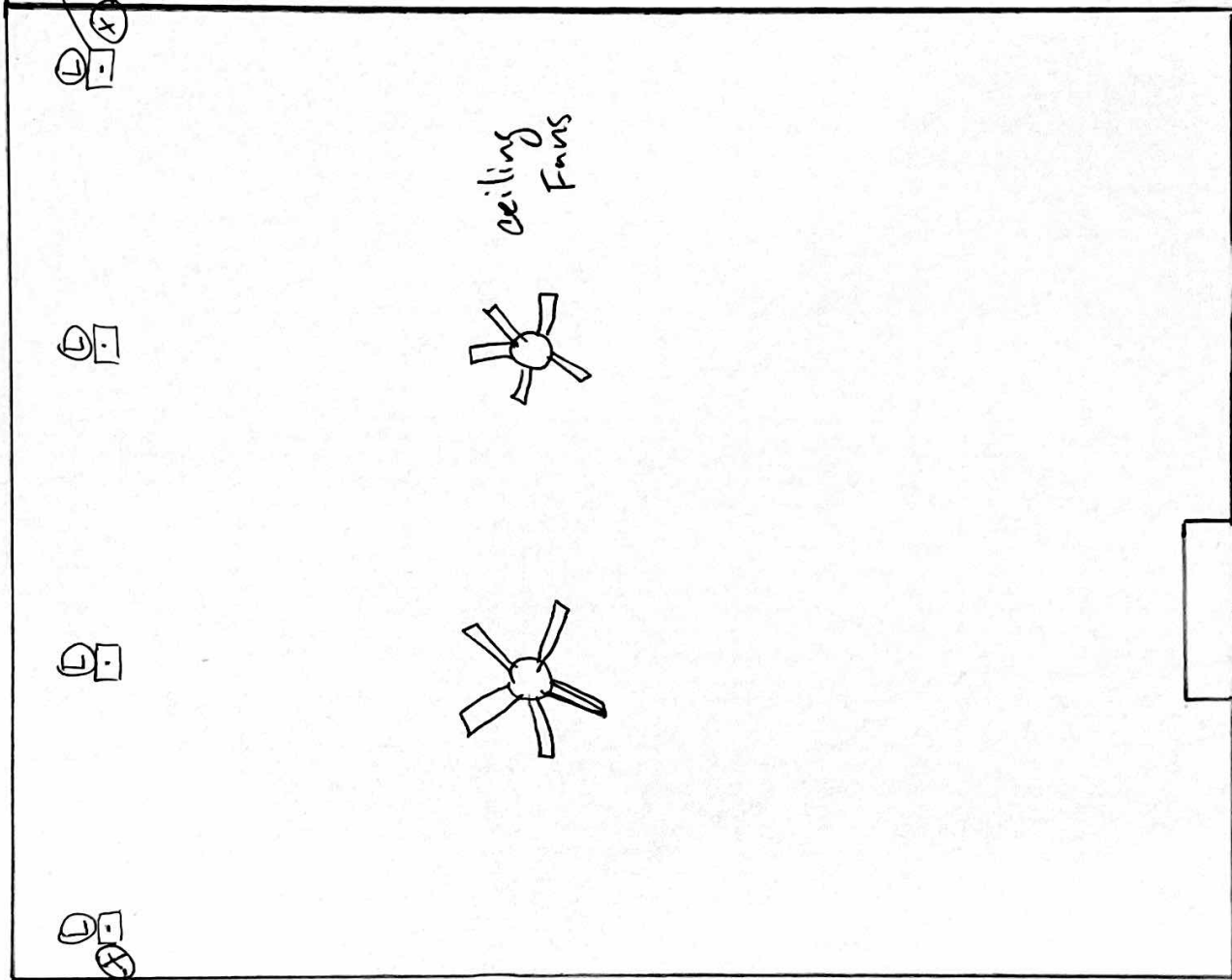
detail Junction





Simpson strong-tie
ECC L 66 &

Posts
Wall Plug



Ceiling Fans

Existing Electrical Panel

Addition of 2 Breakers in sub panel

Wall Plug

City of Brawley



Planning Commission

April 6, 2022

Agenda Item No. 6

STAFF REPORT

To: Planning Division
From: Andrea Montano, Planning Technician
Prepared by: Andrea Montano, Planning Technician
Subject: VAR 22-02

RECOMMENDATION:

Approve VAR 22-02 as presented.

BACKGROUND INFORMATION:

667 South 14th Street were constructed in a time where there were different development standards and is currently considered legal non-conforming due to its size and side yard setbacks. Being that they are considered legal non-conforming the property must adhere to the non-conforming uses ordinance which prohibits the expansion of non-conforming structures amongst other things.

Jose and Graciela Salazar are wanting enclose their one car garage and also their front porch in order to add more square footage to their home including an indoor laundry room and a larger dining room. The variance would allow for staff to approve the submitted plans with the required parking spaces located on a paved surface in required front yard and also a three foot setback.

COMPLIANCE WITH CITY PLANS:

By granting a variance, 667 South 14th Street would return to legal conforming status. In addition, the requested 3 foot setback falls within the minimum requirements of the Building Code.

ALTERNATIVES:

The Planning Commission may choose to approve the variance with additional conditions or deny the request.

CONDITIONS:

1. The applicant shall obtain an encroachment permit from the Department of Public Works for any new, altered or unpermitted driveways necessary to access each of the parcels from a public street.
2. The applicant shall obtain a tax certificate from the County Tax Collector.
3. The applicant shall pay all fees associated with review and approval of the site plan, parcel map, and variance.
4. The applicant 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 Planning Commission or City Council concerning the subdivision. The City of Brawley shall promptly notify the applicant of any claim, action or proceedings and shall cooperate fully in the defense.

5. 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.
6. Provide sewer and water, curb and gutter, sidewalks and other improvements to City standards before City issues certificate of occupancy for any structure for each parcel.

ATTACHMENTS:

Location Map, and Project Plans

CITY STAFF COMMENTS:

N/A

557 14 ST BRAWLEY

POT PLAN

JOSE & GRACIELA SALAZAR

760-455-1190

760-562-6421 WIFE

①

33'

EXISTING PATIO

← 7' →

RECEIVED

JAN 31 2021

Building Division
Development Services Department
City of Brawley

← 48" →

← 43" →

EXISTING PORCH

GARAGE

City of Brawley



Planning Commission

April 6, 2022

Agenda Item No. 7

STAFF REPORT

To: Planning Division
From: Andrea Montano, Planning Technician
Prepared by: Andrea Montano, Planning Technician
Subject: CUP 22-02

RECOMMENDATION:

Approve CUP 22-02 as presented.

BACKGROUND INFORMATION:

On April 3, 2013 A-Plus furniture fell victim to a string of arson related commercial fires in the Downtown. The site remained an empty vacant lot full of debris and was covered by a wooden barricade until it was purchased by Gonzalo and Joshue Llorona. Upon taking ownership in 2021, the Llorona's quickly cleaned up the lot, and replaced the dilapidated wood fence with a customized black steel fence.

Spot 805 is proposed to be permanently located a 550 and 542 Main Street which is located in the Civic Center Main Street of the Downtown Specific Plan Overlay. The venue is proposing to include amenities such as a stage with seating area, tables, a dog kennel, bike rack, restrooms, kitchen, bar, smoker, grill and also have an area for outside vendors.

COMPLIANCE WITH CITY PLANS:

The proposed outdoor bar complies with the Downtown Specific Plan (DSP) and is also located within the City of Brawley's Art District. The vision of the DSP proposes a vibrant mix of uses that includes entertainment and calls for engaging crowds at frequent community events.

ALTERNATIVES:

The Planning Commission may choose to approve the conditional use permit with additional conditions or deny the request for a Conditional Use Permit

CONDITIONS:

1. The applicant shall obtain an encroachment permit from the Department of Public Works for any new, altered or unpermitted driveways necessary to access each of the parcels from a public street.
2. The applicant shall obtain a tax certificate from the County Tax Collector.
3. The applicant shall pay all fees associated with review and approval of the site plan and variance.
4. The applicant 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 Planning

Commission or City Council concerning the subdivision. The City of Brawley shall promptly notify the applicant of any claim, action or proceedings and shall cooperate fully in the defense.

5. 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.
6. Provide sewer and water, curb and gutter, sidewalks and other improvements to City standards before City issues certificate of occupancy for any structure for each parcel.
7. Approval of the Conditional Use Permit is contingent on successful licensing from the ABC.

ATTACHMENTS:

Location Map, Site Photos, and Project Plans

CITY STAFF COMMENTS:

Public Works Department, Guillermo Sillas informed the applicants that the following is needed: traffic control plans, installation of a grease trap interceptor, installation of both a meter and back flow preventer, and payment of the different in impact fee to upgrade to a 2 inch line.

Brawley Police Department, Chief Duran requested that the owners install a surveillance system

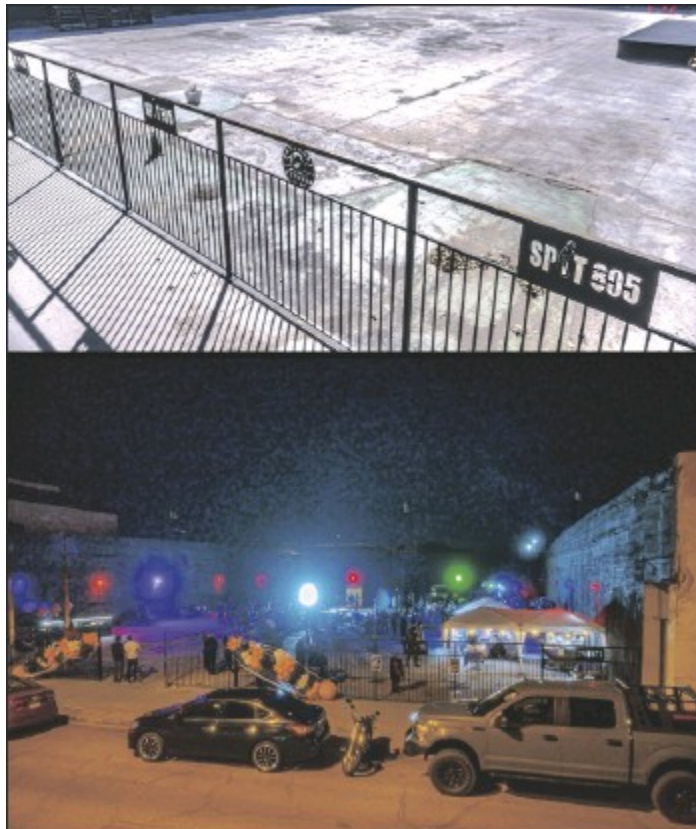
BEFORE LORONA PURCHASE

PHOTO: GOOGLE EARTH



AFTER LORONA PURCHASE

PHOTO: VINCENT OSUNA, IV PRESS





USE SHALL COMPLY WITH ALL APPLICABLE CODES AND ORDINANCES...

GREEN BUILDING LEAD REQUIREMENTS

SECTION 408.01.01.01.1 LEAD PAINT TESTING AND REMEDIATION... SECTION 408.01.01.01.2 LEAD TESTING... SECTION 408.01.01.01.3 LEAD TESTING...

NON-PROFESSIONAL USES, BUILDING STANDARDS

- 328. NON-PROFESSIONAL USES, BUILDING STANDARDS... 1. DISTANCE FROM... 2. EXISTING CURB & GUTTER... 3. PORTABLE VENDOR TENT... 4. EXISTING CONCRETE... 5. SEATING... 6. PORTABLE UMBRELLAS... 7. MEN... 8. WOMEN... 9. PATIO... 10. ALLEY...

SECTION 408.01.01.01.1 LEAD PAINT TESTING AND REMEDIATION...

SECTION 408.01.01.01.2 LEAD TESTING...

SECTION 408.01.01.01.3 LEAD TESTING...

SECTION 408.01.01.01.4 LEAD TESTING...

SECTION 408.01.01.01.5 LEAD TESTING...

SECTION 408.01.01.01.6 LEAD TESTING...

SECTION 408.01.01.01.7 LEAD TESTING...

SECTION 408.01.01.01.8 LEAD TESTING...

SECTION 408.01.01.01.9 LEAD TESTING...

SECTION 408.01.01.01.10 LEAD TESTING...

SECTION 408.01.01.01.11 LEAD TESTING...

SECTION 408.01.01.01.12 LEAD TESTING...

SECTION 408.01.01.01.13 LEAD TESTING...

SECTION 408.01.01.01.14 LEAD TESTING...

SECTION 408.01.01.01.15 LEAD TESTING...

SECTION 408.01.01.01.16 LEAD TESTING...

SECTION 408.01.01.01.17 LEAD TESTING...

SECTION 408.01.01.01.18 LEAD TESTING...

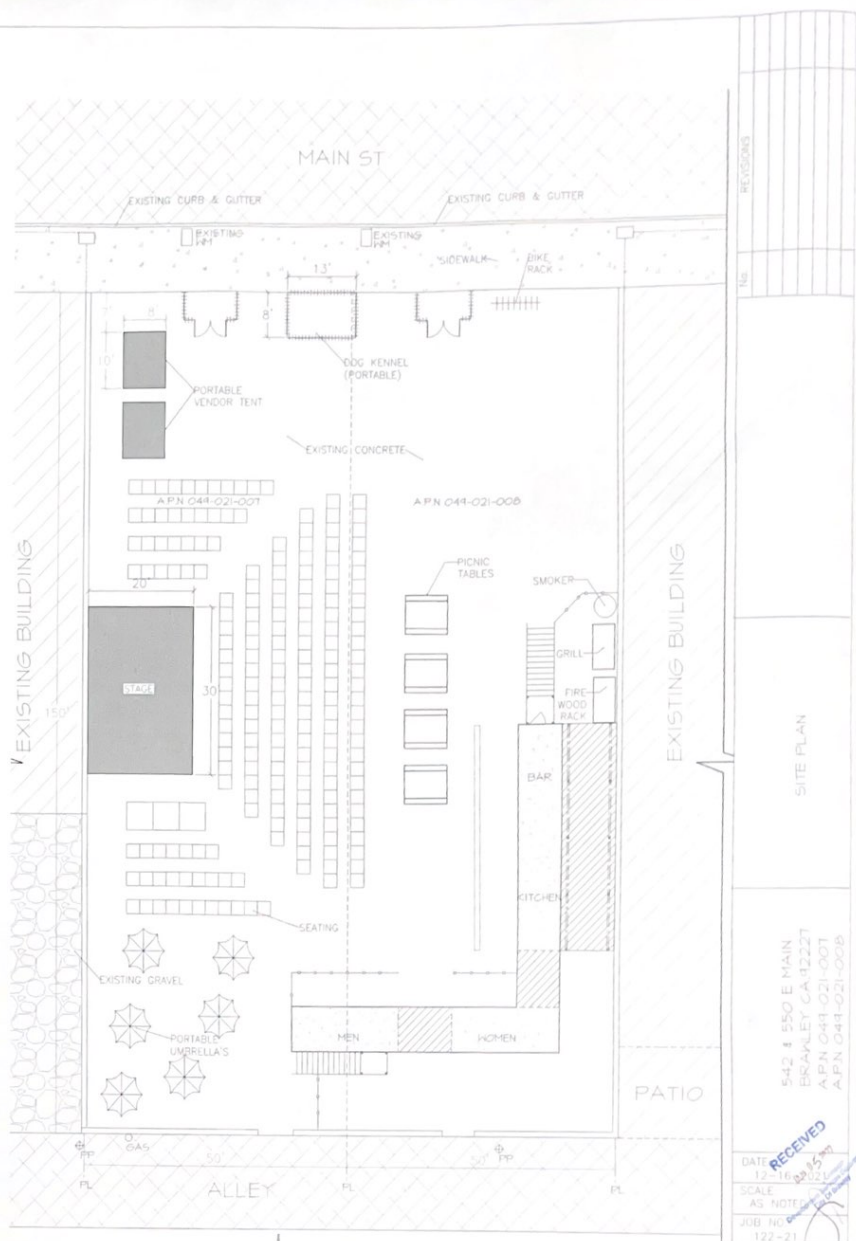
SECTION 408.01.01.01.19 LEAD TESTING...

SECTION 408.01.01.01.20 LEAD TESTING...

SECTION 408.01.01.01.21 LEAD TESTING...



VICINITY MAP SCALE 1/8" = 1'-0"



SITE PLAN SCALE 3/32" = 1'-0"

RECEIVED DATE 12-16-2015 SCALE AS NOTED JOB NO. 122-21 DRAWN BY R.C.

A1

**CITY OF BRAWLEY
PLANNING COMMISSION**

**ORGANIZATION AND OFFICERS
(AMENDED 11/2/05)**

1. ORGANIZATION

The Planning Commission shall consist of seven regular members and shall be organized and exercise such powers as prescribed by the ordinances of the City of Brawley.

In addition to these seven members, the mayor, the city engineer, and the city attorney shall be ex-officio members of the planning commission.

2. OFFICERS

A. Selection

- (1) A chairperson and vice-chairperson shall be elected annually from among the Planning Commission's membership at the first meeting in July to serve at the pleasure of the Planning Commission.
- (2) The vice-chairperson shall succeed the chairperson if he or she vacates his or her office before his or her term is completed, the vice-chairperson to serve the unexpired term of the vacated officer. A new vice-chairperson shall be elected at the next regular meeting.
- (3) In the absence of the chairperson and vice-chairperson, the senior member shall preside.

B. Responsibilities

The responsibilities and powers of the officers of the Planning Commission shall be as follows:

- (1) Chairperson
 - (a) Preside at all meetings of the Planning Commission.
 - (b) Call special meetings of the commission in accordance with legal requirements and the Rules and Procedures of the Planning Commission.

- (c) Sign documents of the Planning Commission.
- (d) See that all actions of the Planning Commission are properly taken.
- (e) Assist staff in determining agenda items.

(2) Vice Chairperson

During the absence, disability or disqualification of the chairperson, the vice-chairperson shall exercise or perform all the duties and be subject to all the responsibilities of the chairperson.

3. DUTIES AND POWERS

The Planning Commission shall have the power and duties as described in the Municipal Code of the City of Brawley.

MEETINGS

4. PUBLIC MEETINGS

All meetings shall be held in full compliance with the provisions of state law, ordinances of the City, and the Rules and Procedures of the Planning Commission.

5. REGULAR MEETINGS

- A. Regular meetings shall be held on the first Wednesday of the month, at 5:30 p.m., in the City Council Chambers, unless otherwise determined by the Mayor, City Council, Chairperson of the Planning Commission, or upon the request of three members of the Planning Commission.
- B. Whenever a regular meeting falls on a public holiday, no regular meeting shall be held on that day. Such regular meeting may be rescheduled to another business day, or canceled by motion by the Planning Commission.
- C. *The Planning Commission may hold special meetings in accordance with Government code Section 54956. Special meetings may also be called by the mayor or city council. The request shall be filed with the city clerk who shall give notice required by law.*

6. ADJOURNED MEETINGS

In the event it is the wish of the Planning Commission to adjourn its meeting to a certain hour or another day, a specific date, time, and place must be set by the Planning Commission prior to the regular motion to adjourn.

7. STUDY SESSIONS / WORKSHOPS

- A. The Planning Commission may be convened as a whole or as a committee of the whole in the same manner as prescribed for the calling of a special meeting for the purpose of holding a study session provided that no official action shall be taken and no quorum shall be required.
- B. Such meeting shall be open to the public; but, unless the Planning Commission invites evidence or comments to be given, participation by interested members of the public shall not take place at such study sessions.

8. AGENDA

- A. An agenda for each meeting of the Planning Commission shall be prepared by the planning director or his or her designee with the cooperation and approval of the chairperson or in his or her absence the vice-chairperson.
- B. A copy of the agenda shall be posted per state regulations.

9. ATTENDANCE

- A. Members shall be present at all scheduled meetings, on time, and for the duration of the said meeting, unless prior arrangements have been approved by the chairperson. Failure to have approval shall be the same as an unexcused absence.
- B. If any commissioner should be absent for three consecutive meetings of the Planning Commission in a fiscal year, the chairperson shall request that the City Council investigate and take the necessary action.

10. MOTIONS

- A. Voting Requirements
 - (1) A quorum shall consist of a majority of Planning Commission members.
 - (2) The affirmative vote of a majority of the entire Planning Commission is necessary for it to take action. Thus, all actions of the Planning Commission require a majority vote.

(3) *The Mayor, as an ex-officio member, shall have the right to exercise a vote, but this vote shall only be exercised in case of a tie vote among the regular members of the planning commission.*

(4) When a member of the Planning Commission abstains from voting on any matter before it because of a potential conflict of interest, said vote shall not constitute nor be considered as either a vote in favor of or opposition to the matter being considered. When a member of the Planning Commission abstains from voting for any reason other than a potential conflict of interest, the abstention shall be counted with the majority.

B. Voting Order

The order of voting will be rotated each meeting except that the chairperson shall vote last.

C. Recording of Votes

The minutes of the Planning Commission's proceeding shall show the vote of each member, including if they were absent or failed to vote on a matter considered.

D. Disqualification from Voting

A member shall disqualify himself or herself from voting in accordance with the conflict of interest rules adopted by the California Fair Political Practices Commission. When a person disqualifies himself or herself, he or she shall state prior to the consideration of such matter by the Planning Commission that he or she is disqualifying him or herself due to a possible conflict of interest and shall then leave the voting area.

REVIEW AND AMENDMENTS PROCEDURE

11. REVIEW

These Rules and Procedures of the Planning Commission shall be reviewed in July of each year by a subcommittee appointed by the Chair with the general agreement of the Planning Commission. The review subcommittee shall present their recommendations for amending, or not amending, these rules.

12. AMENDMENTS

In addition, these Rules and Procedures of the Planning Commission may be amended at any meeting at the Planning Commission by a majority of the membership of the Planning Commission provided that notice of the proposed amendment is received by each commissioner not less than 5 days prior to said meeting.