

#### PLANNING COMMISSION

Ramon Castro, Chairman Jay Goyal, Vice-Chairman

Eugene Bumbera Robert Palacio Kevan Hutchinson

George A. Marquez Darren Smith

#### **AGENDA**

PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, NOVEMBER 1<sup>st</sup>, 2017 AT 5:30 P.M.
CITY OF BRAWLEY COUNCIL CHAMBERS
383 MAIN STREET
BRAWLEY, CALIFORNIA

- 1. CALL TO ORDER / ROLL CALL
- 2. APPROVE AGENDA
- 3. APPROVE MINUTES OF SEPTEMBER 6th, 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 HEARINGS**

**5.** A conditional use permit (CUP 17-04) requesting to is to allow for an accessory building to an existing motel be used for a sports bar. The property is currently zoned Medium Commercial (C-2) and is 3.69 acres in size.

Applicant: Bharat K. Kumar

Representative: Harry Madera

Location: 590 West Main Street, Brawley, CA 92227, legally described as the West

350 feet of Block 13, Rio Vista Ranch Subdivision, south of Highway 86 excepting the south 300 feet, City of Brawley, County of Imperial, State

of California, APN 048-020-022.

**6.** An application for a tentative parcel map (PM17-01) in order to subdivide the current two parcels into four parcels in order to construct additional single or multi-family dwelling. Parcel is zoned R-3 Residential Medium Density.

Applicant: Alma L. Stiff

Representative: Raymond Todd Dial, RTD Consulting

Location: 1512 and 1514 River Drive, Brawley, CA 92227, legally described as a

portion of Lots B and C, Brawley Subdivision No. 2, City of Brawley, County of Imperial, State of California, APN 047-430-010 and 012.

**7.** An application for a tentative tract map (TM 17-02) submitted to subdivide the property into 8 parcels to allow for the construction of single family dwellings. The property is currently zoned Residential Low Density (R-2) and is 2.72 acres in size.

Applicant: R. Garcia Construction, Inc,

Representative: Raymond Todd Dial, RTD Consulting

Location: 1592 and 1618 A Street, Brawley, CA 92227, legally decribed as the West

189 Feet of the north 317 feet of Lot 4 and the East 222 Feet of the north 317 feet of Lot 5, Brawley Subdivision No. 1, excepting the north 30 feet, City of Brawley, County of Imperial, State of California, APN 047-250-

038 and 047-240-065

#### 8. ZONING AND CODE ENFORCEMENT

\*August 2017 and September 2017 report attached.

#### 9. NEXT MEETING DATE

#### 10. ADJOURNMENT

Supporting documents are available for public review in the Community Development Services office, 205 S. Imperial Avenue, Brawley, Monday through Friday, during regular posted business hours. Individuals who require special accommodations are requested to give 24-hour prior notice.

Contact: Alma Benavides, City Clerk, 760-351-3080

#### **CITY OF BRAWLEY**

September 6, 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 @ 5:31pm

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

ABSENT: None

#### 2. APPROVAL OF AGENDA

The agenda was approved as submitted. m/s/c Castro/Hutchinson 7-0

#### 3. APPROVAL OF MINUTES

The minutes of July 7<sup>th</sup>, 2017 were approved with corrections during the July 2017 Planning Commission meeting. m/s/c Castro/Goyal 7-0

#### **4. PUBLIC APPEARANCES** There were none.

#### 5. PUBLIC HEARING VAR 17-01

The applicant is requesting a variance to allow the reduction of the minimum lot size from 6,000 square feet to 2,500 square feet and for a reduction of rear yard setback from 20 feet to 10 feet for property. Parcel is zoned R-2 (Residential Low Density).

Applicant: Shine Investments, LLC

Location: 305 J Street, Brawley, CA 92227, legally described as the south 100 feet of Lot 1, Block

52, Townsite of Brawley, City of Brawley, County of Imperial, State of California, APN

048-161-025.

**Planning Director Gaste** gave an overview of the project as presented in the staff report and informed the commissioners that this is an existing lot that there was a structure on it previously. The applicant has been working on renovating the lot and want to build small home on an illegal non conformation lot on the lot which would require a variance to make it legal and have separate utilities. There are similar parcels in this area that have been cut similarly and is not unusual. This will allow the area to be renovated instead of being an empty lot.

#### **OPEN PUBLIC HEARING @ 5:38PM**

**Commissioner Goyal** asked the Planning Director the size the unit will be as remaining construction width would be 20 ft.

**Planning Director Gaste** informed Mr. Goyal that the house would be fairly small at an approximate 600 square feet. The Variance itself is to allow the smaller lot size and rear yard setback. This could be a good starter home for somebody. It would be better to use the property as infill instead of having a vacant lot.

Commissioner Smith asked the Planning Director if he knew the history of how the proposed site became a parcel.

**Planning Director Gaste** mentioned that the parcel was established a long time ago. However if you look at other in the area specifically along Third Street between J Street and K Street there are includes low irrigation landscaping. Currently the lot is vacant and there people dump trash makes the neighborhood look bad.

**Commissioner Goyal** asked Mr. Roben if he considered having the entrance to the driveway to be from 3<sup>rd</sup> Street instead of the alley.

**Ray Roben** commented that this is how it worked out better from a plan standpoint and how it would lay on the lot. Using the J. Street as the main entrance to the drive way would put the shortest setback to the existing house. The alley provides for enough egress and digress to the property so that on-site parking may be accessed.

**Planning Director Gaste** mentioned that if this was all one lot he would be permitted to construct a granny flat that would be the same size as the proposed structure or even larger and would only require one parking space. Since this is one separate lot there are two parking spaces required.

Commissioner Goyal asked what the garage requirements would be for this type of structure.

**Planning Director Gaste** responded that garages are not required in any house. All that is required is two off-street parking spaces.

**Ray Roben** mentioned that the proposed structure would not include a garage and would only include off-street parking. He also mentioned that it would be a perfect starter home as housing cost are on the rise.

Commissioner Goyal added that the Planning Commission aims to support affordable housing.

**Commissioner Castro** mentioned that he passed by the location and the remodel is making the neighborhood look good.

#### PUBLIC HEARING CLOSED@ 5:45PM

The Commission approved the variance as proposed. m/s/c Hutchinson/Goyal 7-0

#### 6. PUBLIC HEARING TM 17-01

The applicant was requesting a Conditional Use Permit (CUP17-03) to allow usage of the property as a Place of Assembly. Parcel is zoned Planned Development (P-D), Civic Center Neighborhood of the Downtown Specific Plan which allows Places of Assembly with a Planning Commission Conditional Use Permit.

Applicant: Carolyn F. Benson/Norman & Stacie Chandler

Location: 145 South 6th Street, Brawley, CA 92227, legally described as the south 125 feet of Lots

25 through 29 and the north 25 feet of the west 20 feet of Lot 29, Block 72, Townsite of Brawley, City of Brawley, County of Imperial, State of California, APN 049-021-012

**Plannning Director Gaste** gave an overview of the project and mentioned that the proposed location is a suite and the church does not have a big congregation. He added that they don't do any type of counseling and drug administration. The back portion of the location would be administrative services for the church therefore a big crowd is not expected at that area at any time with exception of the hours of congregation which fall after hours of operation of the surrounding businesses.

#### **OPEN PUBLIC HEARING @ 5:48PM**

**Norman Chandler,** representing the church gave an overview of the church and his experience with the congregation he has in the City of Holtville. He added that a big portion of the attendees are from the City of Brawley many of which are court ordered. He would like to offer a place of worship for the attendees from Brawley who cannot make it to Holtville during the week. He made it clear that the church was not a men's home nor is that the intention.

**Commissioner Castro** asked Mr. Chandler if there were any plans for a group home in the furture.

**Norman Chandler,** stated that there were no plans to do a group home and there is not going to be anyone that would be residing at the proposed location.

Commissioner Goyal asked Mr. Chandler if there were going to be using the location for food purposes.

**Norman Chandler** informed Commissioner Goyal that they may have a fellowship with food for those withing the congregation but they would be closed to the public. He also mentioned that they don't have plans to hand out food to the community as there are already programs in place such as Brawley Feed the Need that he supports that meets that need.

Chairman Palacio asked Planning Director Gaste if there were any of the same concerns as another similar project.

**Planning Director Gaste** commented that the other place was larger, produced more traffic, served food and would be limited. He also asked Norman Chandler the size of his congregation.

Norman Chandler mentioned that they're currently set up for 55 people.

**Commissioner Goyal** asked if parking would be an issue or if the proposed project was next to city lots that could support parking.

**Planning Director Gaste** mentioned that parking would be sufficient with the city lots. He also mentioned that the hours of operation for the congregation would be off hours from the currenty busineses so parking would not be an issue.

**Commissioner Goyal** asked Norman Chandler if they planned on demolishing or remodeling the existing structures to be used for the congregation.

**Norman Chandler** informed Commissioner Goyal that they are able to use the Woven Center next door as the two suites are connected which allows them to have classroom space and an extra room when there are children at the congregation.

Commissioner Goyal asked Planning Director Gaste if there where going to be ADA Compliance Issues with the restroom

**Planning Director Gaste** mentioned that there would be a walkthrough done by the Building Department prior to final approval to determine occupancy.

**Norman Chandler** added that both restrooms that they are able to use are handicap accessible restrooms. He also mentioned that they have designated one restroom for women and one for men but they can make it a universal restroom if necessary.

Commissioner Castro requested clarification from Norman Chandler on his definition of Church Services.

**Norman Chandler** mentioned that it involved doing prayer requests, songs of worship and a message of God and would take roughly about an hour and a half which would take place after hours.

#### PUBLIC HEARING CLOSED @ 5:53PM

The Commission approved the conditional use permit as proposed. m/s/c Bumbera/Marquez 7-0

#### 7. ZONING CODE ENFORCEMENT

**Planning Director Gaste** introduced Interim Building Official Oscar Escalante to the Planning Commission and also requested that any Commissioners that have code enforcement issues are welcome to contact the Planning and/or Community Development Departments with properties that may need to be evaluated.

**Interim Building Official Oscar Escalante's** written informational report regarding code enforcement report for the month of July 2017 was provided to the Commission.

\*Please see attached document.

**Commissioner Marquez** asked Interim Building Official Escalante if it was legal to park and live in a mobile home in a back yard.

**Interim Building Official Escalante** mentioned that while it is legal to park a mobile home you cannot live in the mobile home. He further mentioned that it requires some preparation to park such as a parking pad.

Commissioner Smith requested a status update on Taco Bell from Interim Building Official Escalante.

**Interim Building Official Escalante** mentioned that Taco Bell is currently in the plan check phase and added that what he has reviewed looks like the bulding and plans are well done. Public Works is also reviewing the plans as part of the alley will be used for the drive thru.

**Planning Director Gaste** added that Caltrans is also involved as there is going to be an access from Main Street. He also mentioned that the whole alley will be paved.

**Commissioner Goyal** asked when the start of construction is expected to take place.

**Interim Building Official Escalante** mentioned that plan checks should be completed in a couple weeks pending a response from the Fire Department and Public Works. The project has already been reviewed by the Development Review Committee.

Planning Director Gaste mentioned that the Applicants inteded to start contruction in early November.

#### 8. Review and Adoption of Planning Commission Rules 2017-2018

**Planning Director Gaste** informed the Commission that there were no changes to the rules and there haven't been for approximately 10 years. He also mentioned that changes to the rules are usually made per the request of the Legal Department.

The Planning Commission approved the Rules as presented. m/s/c Smith/Goyal 7-0

#### 9. Election of Officers 2017-2018

Planning Commissioner Castro was nominated for Chairman of the Planning Commission. There were no other nomination. m/s/c Hutchinson/Palacio 7-0

Planning Commissioner Goyal was nominated for Vice-Chairman of the Planning Commission. There were no other nominations. m/s/c Hutchinson/Palacio 7-0

#### 10. NEXT MEETING DATE

The Planning Commission adjourned to November 1, 2017.

**City Manager Rosanna Bayon Moore** provided an update to the Commission on the following items: Adult Day-Out Center, the Pioneers Memorial Healthcare District Health, Brawley Barbecue, updates to the Motel 6, a proposed pilot travel center, I.V. Respite, communication received from the Bureau of Prison, the Utility User Tax, the relocation of the Mobilehome, and the vacation of a half-way house located in a residential area.

#### **11. ADJOURNMENT** @ 6:47pm

Gordon R. Gaste AICP CEP, Interim Development Services Director

#### PLANNING COMMISSION STAFF REPORT

Conditional Use Permit #: CUP17-04 – Sports Bar

Property Owner/

Applicant: Bob Kumar

**Representative:** Harry Madera

**Legal Description:** Portion of the West 350 feet of Block 13, Rio Vista Ranch

Subdivision, south of Highway 86 excepting the south 300

feet, City of Brawley, County of Imperial, State of

California, APN 048-020-022

*Location:* 590 West Main Stret, Brawley, CA 92227

*Area:* 3.69 Acres (160,536 Square Feet)

**Zoning:** C-2 (Medium Commercial)

Existing Use: Motel/Vacant Accessory Building for Proposed New Use

**Proposed Use:** Accessory Building to be used for a Sports Bar

Surrounding Land Uses:

*North* - C-2 (Medium Commercial) / Motel

**South -** R-3 (Residential Medium Density) / Condominiums

*East* - C-2 (Medium Commercial) / Offices

R-1 (Residential Single Family) / Single Family Dwellings

West- C-2 (Medium Commercial) / Vacant

General Plan Designation: Commercial

PLANNING COMMISSION MEETING, NOVEMBER 1, 2017 5:30 P.M., CITY COUNCIL CHAMBERS, 383 MAIN STREET, BRAWLEY, CALIFORNIA **Conditional Use Permit: CUP17-04** 

#### **General Information:**

The applicant is requesting a conditional use permit to allow for an accessory building to an existing motel be used for a sports bar. The property is currently zoned C-2 (Medium Commercial). The site is currently a Motel with a vacant accessory building in the front. The property is 3.69 acres in size. Access is proposed via current ingress and egress from Main Street and South Las Flores Avenue. There were zoning conditions imposed on this property when the use was changed to a motel. These conditions have been met.

#### **Staff Recommendation:**

If approved, the Planning Department recommends that the following conditions shall apply:

- 1. Landscaping will be required as per Sec. 27.180 of the Zoning Ordinance.
- 2. Hydraulics, drainage and grading details to City standards provided to the City Engineer. The percentage of retention shall be determined by the City Engineer.
- 3. Applicant/Property Owner 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.
- 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 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.
- 9. The Planning Commission may discreationarily impose additional conditions on the business, to include, but not limited to, hours of operation and types of alcohol sold.
- 10. Installation of fire sprinklers and grease interceptor shall be installed per Fire and Public Works Department standards.

The recommendation is based on the following findings:

1. 15301 Existing Facilities and 15332 In-Fill Development. (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. (c) The project site has no value as habitat for endangered, rare or threatened species. (d) Approval of the project would not result in any significant effects relating to traffic noise, air quality, or water quality. (e) The site can be adequately served by all required utilities and public services.

- 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.

#### **Conditional Use Permit: CUP17-04**

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

C-2 (Medium Commercial) zoning permits bars by conditional use permit only.

The Commission must determine the following:

- A. The conditional use permit for the Sports Bar protects the best interest, health, safety and welfare of the public in general.
- B. The conditional use permit for the Sports Bar 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 for the Sports Bar 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 Sports Bar 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 proposed Sports Bar on adjacent property are adequately mitigated with the design, proposed construction and phasing of the site development.
- F. The design of the Sports Bar mitigates substantial environmental problems.
- G. The Sports Bar provides adequate landscaping and/or screening where needed to reduce visibility to adjacent uses.
- H. The Sports Bar is compatible with adjacent structures and uses.
- I. The proposed Sports Bar is not materially detrimental to the enjoyment or valuation of the property adjacent to the site.

**ATTACHMENT:** Location Maps, Project Proponents Business Description.

**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.

#### SP12-01



1" = 376 ft

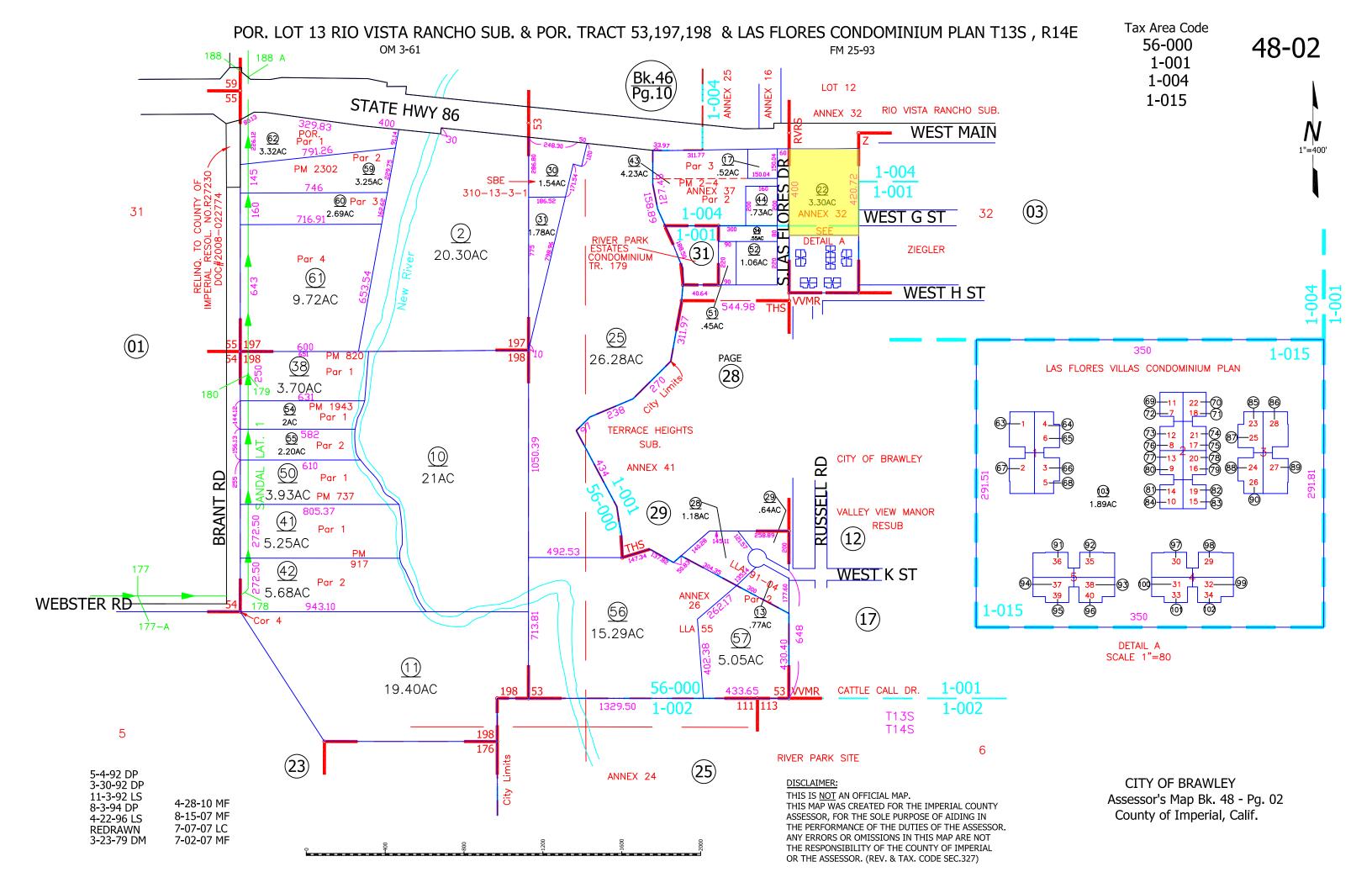
590 West Main Street

03/05/2012





This map represents a visual display of related geographic information. Data provided hereon is not a guarantee of actual field conditions. To be sure of complete accuracy, please contact Imperial County staff for the most up-to-date information.



To: Planning Dept.
Gordon R. Gaste
Conford R. Gaste
Coty of Braidley.

From: Harry Madera
P. C. Bex 218
Brawley, CA. 92227

Describe project.

Project will be a sport bar I Grill Bestausuit with a kitchen open from 12 Noon to 1:3 CAM The location of the birsiness 95 at a current Notel & on 590 west Main 5t. in Brailey. We will do a Tenant improvements to the location space of around 5,200 sq. Frest with a capability or space to do conference such as Chamber of Commerce etc. With the addition of the Kitchen on the motel & property the business will bring value and be able to sell as a full hotels

#### PLANNING COMMISSION STAFF REPORT

*Minor Subdivision:* PM17-01 (Parcel Map) - 1500 Block of River Drive

Property Owner/

*Applicant:* Alma L. Stiff

**Representative:** Raymond Todd Dial, RTD Consulting

**Legal Description:** A portion of Lots B and C, Brawley Subdivision No. 2, City of Brawley,

County of Imperial, State of California, APN 047-430-010, and 012

**Location:** 1512 and 1514 River Drive

Area: Total: 1.85 Acres (90,638 Square Feet)

Parcel 1: 0.39 Acres (16,900 Square Feet)
Parcel 2: 1.46 Acres (63,598 Square Feet)

**Zoning:** R-3 (Residential Medium Density)

Existing Use: Parcel 1: Vacant

Parcel 2: Single Family Dwelling

**Proposed Use:** Parcel 1: Single or Multifamily Dwellings

Parcel 2: Single or Multifamily Dwellings
Parcel 3: Single or Multifamily Dwellings
Parcel 4: Single or Multifamily Dwellings

#### Surrounding Land Uses:

North - M-1 (Light Manufacturing) / Business ParkSouth - R-3 (Residential Medium Density) / Vacant

R-3 (Residential Medium Density) / Single Family Dwellings
 West R-2 (Residential Low Density) / Single Family Dwellings

General Plan Designation: Medium Density Residential

CEQA Status: Exempt

PLANNING COMMISSION MEETING, NOVEMBER 1, 2017 5:30 P.M., CITY COUNCIL CHAMBERS, 383 MAIN STREET, BRAWLEY, CALIFORNIA

**Minor Subdivision: PM17-01** 

#### **General Information:**

The parcel map was submitted in order to subdivide the current two parcels into four parcels in order to construct additional single or multi-family dwellings. The property is currently zoned R-3 (Residential Medium Density). The site is currently contains two single family dwellings and is 1.85 acres in size. Access is proposed River Drive. There are previous zoning conditions currently imposed on this property from an inactive multi-family project.

#### **Staff Recommendation:**

If approved, the Planning Department recommends the following 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 parcel map.
- 4. The applicant shall pay fees to record the final parcel map.
- 5. 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.
- 6. 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.
- 7. 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.
- 8. The south half of River Drive and the east half of North 16<sup>th</sup> Street shall be improved to Public Works Standards including, but not limited to, curb and gutter, sidewalk, striping and pavement/slurry seal.

The recommendation is based on the following findings:

- 1. The proposal is exempt from CEQA pursuant to Sections 15315 and 15332.
- 2. The location of the project and surrounding land uses make it unlikely the project will cause significant environmental impacts.
- 3. Approval of the parcel map 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 tentative parcel map is consistent with the character of the area for that type of land use.
- 5. The size of the new parcels is consistent with the Zoning ordinance.
- 6. The size of the new parcels is consistent with the General Plan.
- 7. The Parcel map was performed in compliance with the Subdivision Map Act and Subdivision Ordinance requirements.

The Brawley General Land Use Map designates this property for Medium Density Residential land uses.

R-3 (Residential Medium Density) zoning permits Single or Multifamily Dwellings within density parameters.

#### **Minor Subdivision: PM17-01**

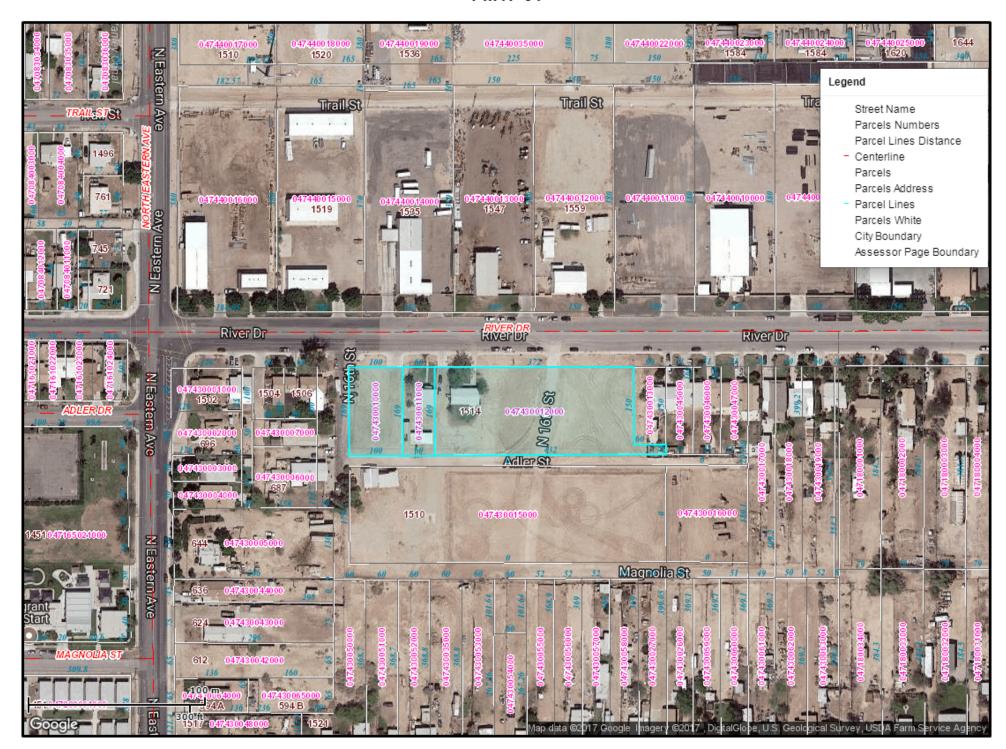
The Commission must determine the following:

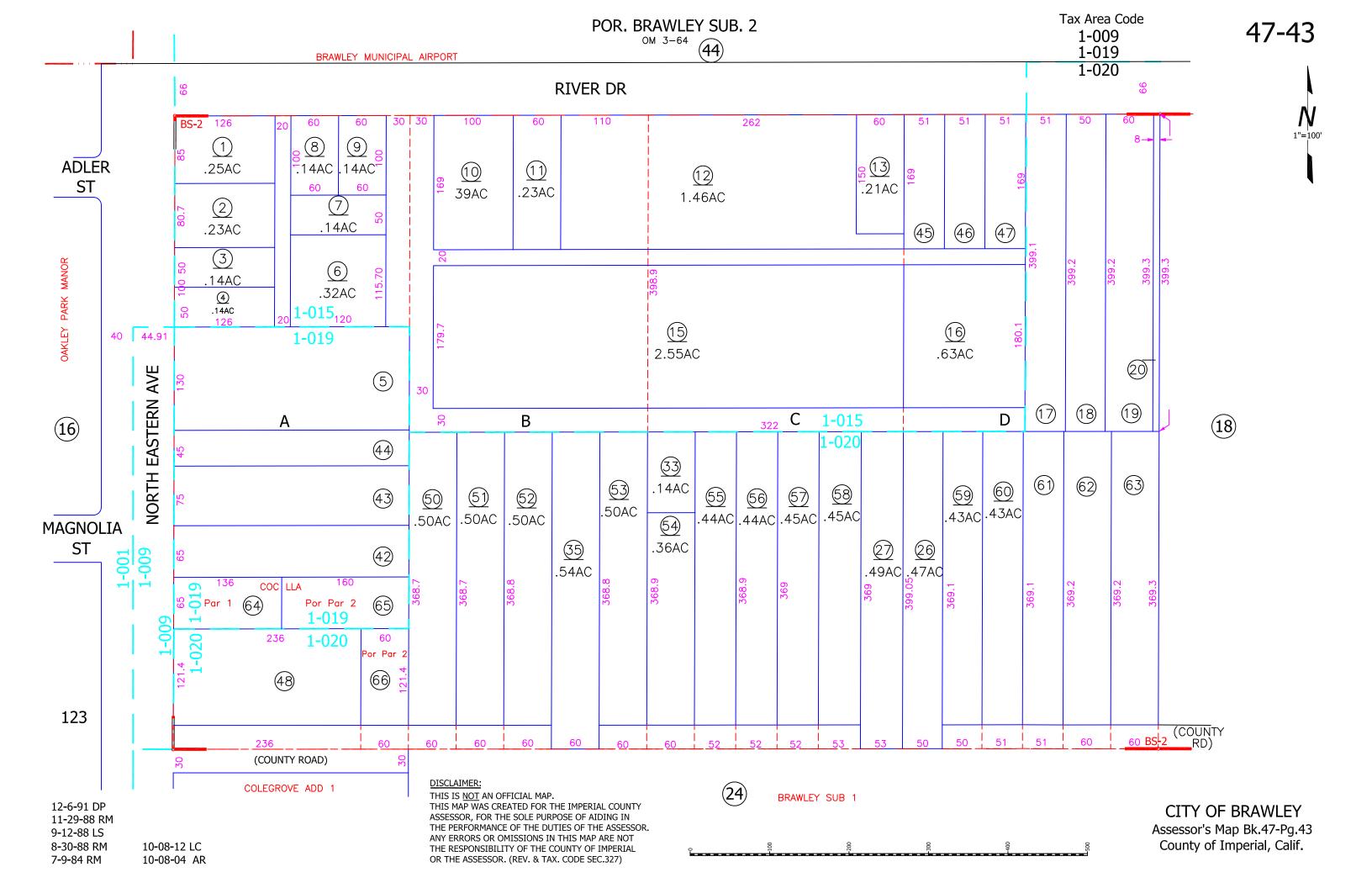
- A. The proposed Parcel Map protects the best interest, health, safety and welfare of the public in general.
- B. The proposed Parcel Map complies with all of the standards and conditions applicable in the zoning district in which it is proposed to be located; complies with any special standards applicable to the particular type of development being proposed, or to the particular area in which the development is proposed; complies with any special approvals required in connection with such development or area.
- C. The proposed Parcel Map 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 Parcel Map 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 of the proposed Parcel Map on adjacent property are adequately mitigated with the design, proposed construction and phasing of the site development.
- F. The design of the Parcel Map mitigates substantial environmental problems.
- G. The proposed Parcel Map provides adequate landscaping and/or screening where needed to reduce visibility to adjacent uses.
- H. The proposed Parcel Map is compatible with adjacent structures and uses.
- I. The Parcel Map is not materially detrimental to the enjoyment or valuation of the property adjacent to the site.

**ATTACHMENT:** Location Maps; Proposed Parcel Map.

**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.

PM17-01





#### TENTATIVE A SUBDIVISION OF A PORTION OF LOT 7 AND LOT 8 BRAWLEY ADDITION NI.1, IN THE CITY OF BRAWLEY, COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO MAP 56 ON FILE IN THE OFFICE OF THE IMPERIAL COUNTY RECORDER. PERTINENT EASEMENTS INCLUDING NON-SIGNATORY RIGHTS TOP OF SEWER MANHOLE, NORTH SIDE OF RIM. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT. (APN 047-440-013) (APN 047-440-012) (APN 047-440-011) EL= 12.58' GRANTED TO THE COUNTY OF IMPERIAL IN BK 630, PG 136. FOR (APN 047-440-015) (APN 047-440-014) OPERATIONS AND MAINTENANCE OF A PUBLIC HIGHWAY AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT. GRANTED TO THE IMPERIAL IRRIGATION DISTRICT IN DOC #29 FOR DOC #29 OPERATIONS AND MAINTENANCE OF A POWER LINE. LEGAL DESCRIPTION The North half of Lot "B" of Brawley Subdivision No. 2, in the City of Brawley, County of Imperial, State of California, according to Map No. 220 on file in the office of the County Excepting that portion conveyed to the City of Brawley, a Municipal Corporation by deed recorded January 17, 1961 as Instrument No. 53 of Official Records. -<u>82</u>.<u>9</u>@4----100.00' ---30.00 4' WIDE CONCRETE-Also excepting that portion conveyed by deed recorded March 20, 1961 as Instrument No. 52 of Official Records, described as follows: WALKWAY AND 11' WIDE CONCRETE FRONT PORCH DRIVEWAY AND EXISTING HOME FRONT CONCRETE Beginning at the Northeast corner of said Lot "B", thence South 89° 53' 30" West, along (30'X28') the Northerly line of Lot "B", 110.00 feet to the true point of beginning; thence South 0° FF. EL 4' HIGH OLD CHAIN-FF. EL 09' West, 169.00 feet; thence South 89° 53' 30" West, 60.00 feet; thence North 0° 09' 12.03 East, 169.00 feet; thence North 89° 53' 30" East, 60.00 feet to the true point of LINK FENCE 12.54 047-430-012) 유유 (APN 047-430-010) -AREA OF 170' SOUTI NORTH LIN BLOCK B ' DILAPIDATED The North half of Lot "C" of Brawley Subdivision No. 2, in the City of Brawley, County of **ASPHALT** 69 04× -EXISTING HOME Imperial, State of California, according to Map No. 220 on file in the office of the County PARCEL 3 22.5 (52'X30') Recorder of Imperial County AREA=28,211.62SF Excepting that portion conveyed to the City of Brawley, a nicipal Corporation by deed PARCEL 1 PARCEL 2 recorded January 17, 1961 as Instrument No. 53 of Official Records. PARCEL 4 AREA=12,675SF AREA=16900SF AREA=13016 SF Also excepting that portion conveyed by deed recorded October 5, 1953 as Instrument No. 39 of Official Records, described as follows: 60.00' -106.92 Beginning at the Northeast corner of Lot "C" of Brawley ubdivision No. 2, Imperial County, State of California, thence due South 150 feet, thence due West 60 feet, thence due North -- 98.02" -90.00 --76 90'-- 77 88'--166 74' ---150 feet, thence due East 60 feet to the point of beginning. STORAGE SHED AND CAR TITLE DATA AND NOTE: PORT (NO FOOTING) AS TO THE TITLE MATTERS SHOWN AND NOTED HEREIN, RTD CONSULTING NG AND RAYMOND POWER POLE TODD DIAL, PLS HAVE RELIED SOLELY UPON INFORMATION PROVIDED BY CHICAGO TITLE RIGHT OF WAY - TO THE IMPERIAL IRRIGATION -COMPANY IN PRELIMINARY TITLE REPORT ORDER NUMBER 7101702740-SB DATED MARCH 5. DISTRICT TO OPERATE, CINSTRUCT AND MAINTAIN A PROTECTION BERM AND 2017 AND AS MAY BE AMENDED. OTHER CONDITIONS AFFECTING TITLE SUCH AS TRUST POWER LINE AND APPURTENANCES, 170 FEET OF THE SWALE TO PREVENT DEEDS, TAXES, ECT. ARE CONTAINED IN SAID PRELIMINARY TITLE REPORT ORDER NUMBER NORTHERLY LINE OF BLOCK B AND BLOCK C, AND INCORPORATED HEREIN BY REFERENCE. RTD CONSULTING AND RAYMOND TODD DIAL, RECORDING NO. 29 OF OFFICIAL RECORDSW DATED PLS MAKES NO STATEMENTS AS TO THE ACCURACY OR COMPLETENESS OF THE SUBJECT 02 - 23 - 1952NORTH HALF LOT C PRELIMINARY TITLE REPORTS. SAID TITLE REPORT NOTED SCHEDULE B ITEMS WERE NOT OR 3-63 PLOTTARLE LEGEND "NOT A PART" AND CAR PORT (DILAPIDA ED **PROPOSED** AREA=149,366 SF PARCEL 1 AREA=12,675 S.F. STREET ASPHALT PAVING NORTH HALF LOT B PARCEL 2 AREA=14,365 S.F. OR 3-63 PARCEL 3 AREA=28,212 S.F. CHAIN LINK FENCE (6' HIGH) (APN 047-430-015) PARCEL 4 AREA=12,477 S.F. "NOT A PART" = 149.366 S.F. INDICATES SEWER MANHOLE RIGHT OF WAY — SOUTHERLY 30 FEET - OF THE NORTH HALF OF BLOCK B AND -PROTECTION BERM AND INDICATES EXISTING WATER VALVE SWALE TO PREVENT ZONING INDICATES EXISTING WATER LINE BLOCK C FOR HIGHWAY PURPOSES TO -PARCEL 1 R-3 THE COUNTY OF IMPERIAL, OR 630-136 INDICATES EXISTING OVERHEAD ELEC. -PARCEL 2 R-3 -30.00' OR -30.69' OR 630-136 -30.00' OR 630-136 RECORDED INDICATES EXISTING SEWER LINE 630-136 -PARCEL 3 R-3 **11-16-1944** INDICATES EXISTING POWER POLE -PARCEL 4 R-3 INDICATES BOUNDARY OF SUBDIVISION "NOT A PART" R-3 INDICATES PROPOSED NEW LOT LINE EXISTING: COUNTY OF IMPERIAL ROAD RIGHT OF WAY APN 047-430-015-000 OWNER INFORMATION AREA=239,339.56 S.F. Alma L. Stiff, as Trustee of the Stiff ZONED - R-3 Family Trust dated September 17, 2008. (APN 047-430-044) UTILITIES: TWO DAYS BEFORE YOU DIG GAS-THE GAS COMPANY WATER-CITY OF BRAWLEY ELECTRICITY - IID USA TOLL FREE SEWER-CITY OF BRAWLEY 047 047 CARLE-TIMEWARNER CARLE 9 (APN 047-430-044) TELEPHONE-AT&T 800-227-2600 SCALE: 1"=30"

#### PLANNING COMMISSION STAFF REPORT

*Major Subdivision:* TM17-02 (Tentative Tract Map) - A Street Subdivision

Property Owner/

Applicant: R. Garcia Construction, Inc.

**Representative:** Raymond Todd Dial, RTD Consulting

*Legal Description:* The West 189 Feet of the north 317 feet of Lot 4 and the East 222 Feet of

the north 317 feet of Lot 5, Brawley Subdivision No. 1, excepting the north 30 feet, City of Brawley, County of Imperial, State of California, APN 047-

240-065 and 047-250-038

**Location:** 1592 and 1618 A Street

Area: Total: 2.72 Acres (134,804 Square Feet)

APN 047-240-065: 1.47 Acres (63,549.26 Square Feet) APN 047-250-038: 1.25 Acres (54,154.64 Square Feet)

**Zoning:** R-2 (Residential Low Density)

Existing Use: Vacant

**Proposed Use:** Single Family Dwellings

Surrounding Land Uses:

*North* - R-2 (Residential Low Density) / Single Family Dwellings

**South -** R- 3(Residential Medium Density) / Apartments

East - R-2 (Residential Low Density) / Single Family DwellingsWest- R-2 (Residential Low Density) / Single Family Dwellings

General Plan Designation: Low Density Residential

**CEQA Status:** Exempt

PLANNING COMMISSION MEETING, NOVEMBER 1, 2017 5:30 P.M., CITY COUNCIL CHAMBERS, 383 MAIN STREET, BRAWLEY, CALIFORNIA **Major Subdivision: TM17-02** 

#### **General Information:**

The tentative map was submitted in order to permit Single Family Dwellings. The property is currently zoned R-2 (Residential Low Density). The site is currently Vacant and is 2.72 acres in size. The proposed tentative map shows to subdivide the property into 8 parcels to allow for the construction of single family dwellings to be located on the site. Access is proposed via A Street. There are zoning conditions currently imposed on this property from a previous inactive project.

#### **Staff Recommendation:**

If approved, the Planning Department recommends that the following conditions shall apply:

- 1. The Developer shall comply with all local, state & federal laws, rules, regulations, ordinances, resolutions and standards applicable to this Project, whether specified herein or not. Where conflicts occur, the most stringent requirements as interpreted by the City shall apply.
- 2. Obtain City Engineer's review and approval (stamp & signature) for all final maps, improvement plans, studies, soils reports, cost estimates, designs, calculations, Subdivision Agreement(s), related documents, and amounts of fees required for this Project.
- 3. All improvements required for each final map and/or phase of development for this Project shall be constructed, or in lieu thereof, an improvements security be provided to insure their construction. The City Engineer and the City Attorney shall review the improvements security format, content and amounts. The type of improvement security shall be approved by City Council.
- 4. Obtain, pay for and comply with all permits required from the City of Brawley and the Imperial Irrigation District (IID) for improvements within, adjacent or across these agencies rights of way and/or facilities, as required to serve this Project.
- 5. Offer for dedication all rights of way, easements or parcels of land required for the improvements of streets, underground pipelines, utilities and the storm drainage retention basin.
- 6. Approval or conditional approval of the tentative map shall not constitute the waiver of any requirement of the City's ordinances or resolutions, regulations or standards; except, where a condition herein specifically provides a waiver.
- 7. High Pressure Sodium street safety lighting shall be provided at 300 ft. maximum spacing and at all street intersections, according to the IID Standards. Streetlights shall be of 150 watts at street intersections and of 100 watts elsewhere.
- 8. Stop signs, stop bars and legend, shall be provided at locations determined by the City Engineer.
- 9. All private drainage and all private facilities, which are installed, operated, and maintained within Imperial Irrigation District right of way, require an IID encroachment permit.
- 10. Developer shall provide the Project's electrical load calculations to the Imperial Irrigation District Power Department in order to determine the electrical power facilities needed and their cost.
- 11. Developer shall provide to the Project, underground utility services such as: natural gas,

- telephone and cable television in coordination with the corresponding utility company.
- 12. The type, quantity and location of new fire hydrants shall be subject to the review and approval of the City Engineer and the Fire Chief. Fire hydrants shall be no farther apart than what is required by the Uniform Fire Code, table A-III-B-I. Installation of fire hydrants shall be prior to construction of each respective phase of the development.
- 13. Project must comply with local, state and federal storm drainage discharge permits regulations.
- 14. Provide adequate drainage to prevent runoff into agricultural land and sub1. The Developer shall comply with all local, state & federal laws, rules, regulations, ordinances, resolutions and standards applicable to this Project, whether specified herein or not. Where conflicts occur, the most stringent requirements as interpreted by the City shall apply.
- 15. Project must comply with local, state and federal storm drainage discharge permits regulations.
- 16. Provide adequate drainage to prevent runoff into agricultural land and subsequent erosion of soils.
- 17. Water shall be applied to active grading areas, unpaved surfaces used for vehicle access, and other areas of dust generation to prevent or suppress airborne particulates during site development to the satisfaction of the Brawley Department of Public Works.
- 18. Implementation of Best Management Practices and a Storm Water Pollution Prevention Plan to prevent soil erosion and polluted runoff.
- 19. The south half of A Street shall be improved to Public Works Standards including, but not limited to, curb and gutter, sidewalk, striping and pavement/slurry seal.

#### Major Subdivision: TM17-02

The recommendation is based on the following findings:

- 1. The proposal is prepared in accordance with the California Environmental Quality Act (CEQA) pursuant to 15332 In-Fill Development..
  - (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. (c) The project siet has no value as habitat for endangered, rare or threatened species. (d) Approval of the project would not result in any significant effects relating to traffic noise, air quality, or water quality. (e) The site can be adequately served by all required utilities and public services.
- 2. The location of the project and surrounding land uses make it unlikely the project will cause significant environmental impacts.
- 3. Approval of the tentative map 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 tentative map is consistent with the character of the area for that type of land use.
- 5. The size of the new parcels is consistent with the Zoning ordinance.
- 6. The size of the new parcels is consistent with the General Plan.
- 7. The Tentative Tract Map was performed in compliance with the Subdivision Map Act and Subdivision Ordinance requirements.

The Brawley General Land Use Map designates this property for Low Density Residential land uses.

R-2 (Residential Low Density) zoning permits Single Family Dwellings by right.

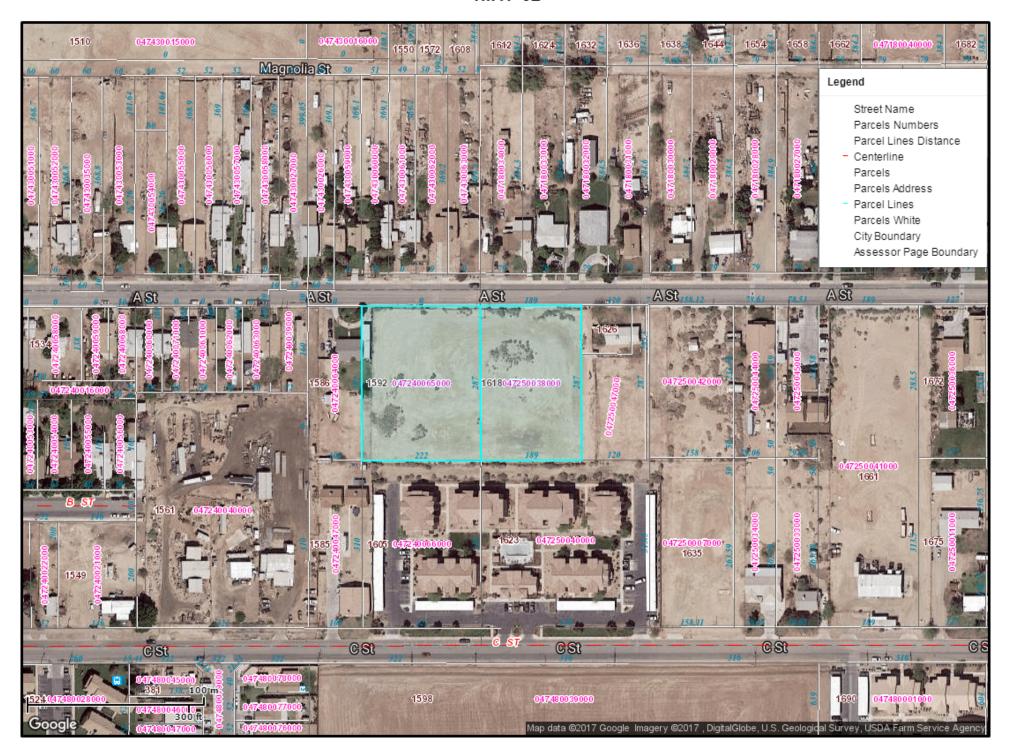
The Commission must determine the following:

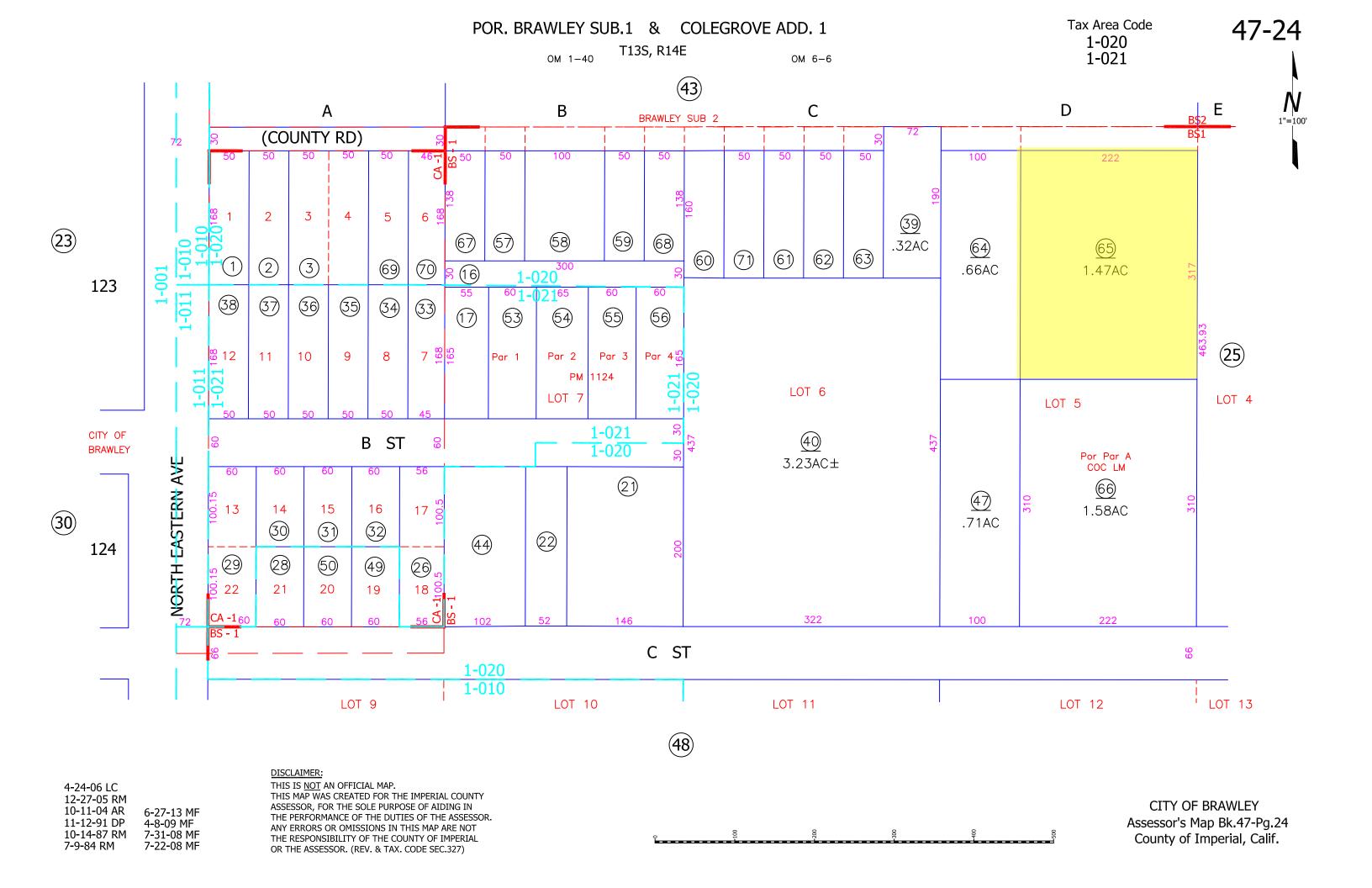
- A. The proposed Tentative Tract Map protects the best interest, health, safety and welfare of the public in general.
- B. The proposed Tentative Tract Map complies with all of the standards and conditions applicable in the zoning district in which it is proposed to be located; complies with any special standards applicable to the particular type of development being proposed, or to the particular area in which the development is proposed; complies with any special approvals required in connection with such development or area.
- C. The proposed Tentative Tract Map 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 Tentative Tract Map 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 of the proposed Tentative Tract Map on adjacent property are adequately mitigated with the design, proposed construction and phasing of the site development.
- F. The design of the Tentative Tract Map mitigates substantial environmental problems.
- G. The proposed Tentative Tract Map provides adequate landscaping and/or screening where needed to reduce visibility to adjacent uses.
- H. The proposed Tentative Tract Map is compatible with adjacent structures and uses.
- I. The Tentative Tract Map is not materially detrimental to the enjoyment or valuation of the property adjacent to the site.

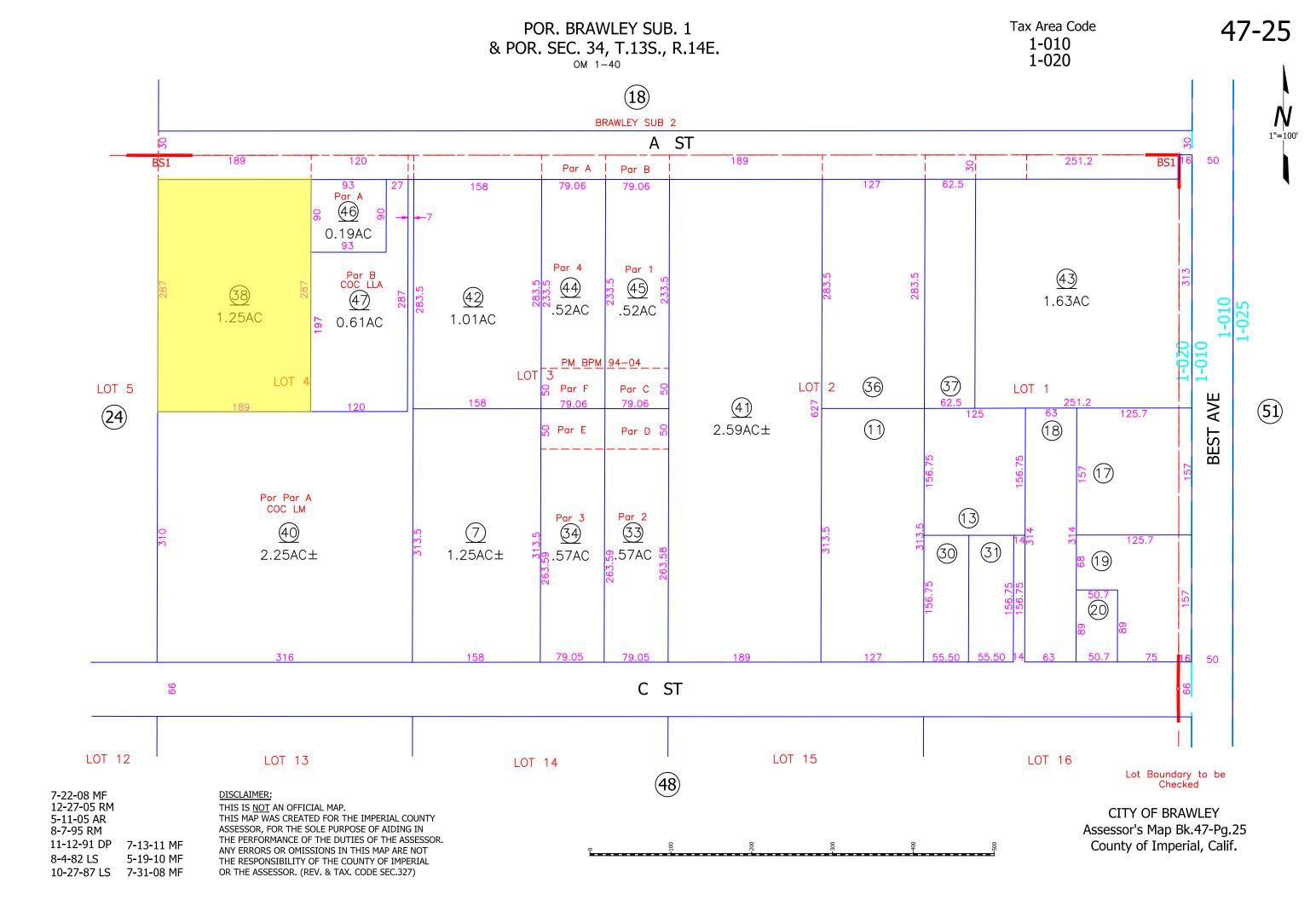
**ATTACHMENT:** Location Maps; Tentative Tract Map.

**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.

TM17-02

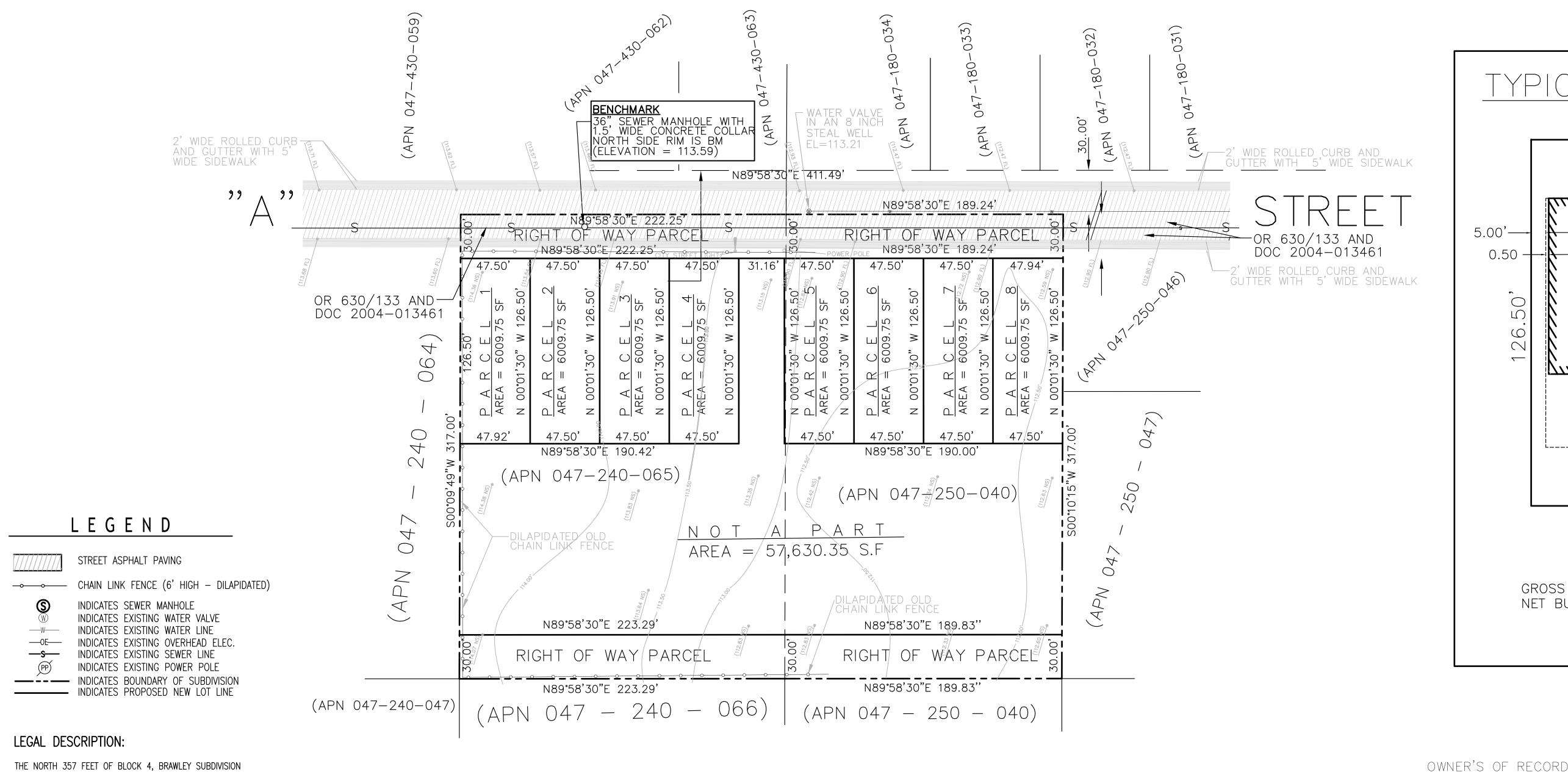


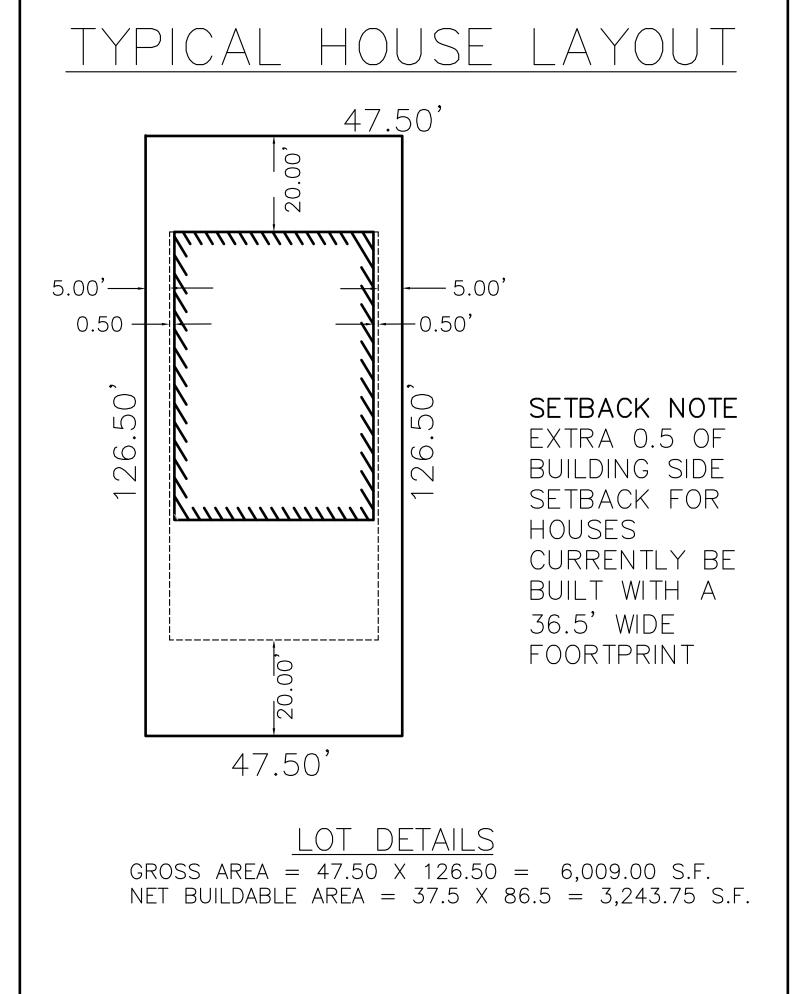




# A STREET ENCLAVE TENTATIVE MAP

A SUBDIVISION OF A PORTION OF THE NORTH 317 FEET OF BLOCK 4 AND BLOCK 5, BRAWLEY SUBDIVISION NO. 1, IN THE CITY OF BRAWLEY, COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO MAP 56 ON FILE IN THE OFFICE OF THE IMPERIAL COUNTY RECORDER





THE NORTH 357 FEET OF BLOCK 4, BRAWLEY SUBDIVISION NO. 1, IN THE CITY OF BRAWLEY, COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO MAP 56 ON FILE IN THE OFFICE OF THE IMPERIAL COUNTY RECORDER

EXCEPTING THE EAST 127.00 FEET.

### IN ADDTION THERETO:

THE NORTH 357 FEET OF BLOCK 5, BRAWLEY SUBDIVISION NO. 1, IN THE CITY OF BRAWLEY, COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO MAP 56 ON FILE IN THE OFFICE OF THE IMPERIAL COUNTY RECORDER

EXCEPTING THE WEST 100.00 FEET.

### TITLE DATA AND NOTE:

AS TO THE TITLE MATTERS SHOWN AND NOTED HEREIN, RTD CONSULTING NG AND RAYMOND TODD DIAL, PLS HAVE RELIED SOLELY UPON INFORMATION PROVIDED BY CHICAGO TITLE COMPANY IN PRELIMINARY TITLE REPORT ORDER NUMBER 7101614471—SB DATED FEBRUARY 5, 2017 AND AS MAY BE AMENDED. OTHER CONDITIONS AFFECTING TITLE SUCH AS TRUST DEEDS, TAXES, ECT. ARE CONTAINED IN SAID PRELIMINARY TITLE REPORT ORDER NUMBER AND INCORPORATED HEREIN BY REFERENCE. RTD CONSULTING AND RAYMOND TODD DIAL, PLS MAKES NO STATEMENTS AS TO THE ACCURACY OR COMPLETENESS OF THE SUBJECT PRELIMINARY TITLE REPORTS. SAID TITLE REPORT NOTED SCHEDULE B ITEMS WERE NOT PLOTTABLE.

EXISTING: APN 047-250-020-000 AREA=59,986.72 S.F. ZONED - R-2

UTILITIES:
GAS—THE GAS COMPANY
WATER—CITY OF BRAWLEY
ELECTRICITY — IID
SEWER—CITY OF BRAWLEY
CABLE—TIMEWARNER CABLE
TELEPHONE—AT&T

TWO DAYS BEFORE YOU DIG

TOLL FREE

USA

800-227-2600

PROPOSED

PARCEL 1 AREA=6,009.75 S.F.

PARCEL 2 AREA=6,009.75 S.F.

PARCEL 3 AREA=6,009.75 S.F.

PARCEL 4 AREA=6,009.75 S.F.

PARCEL 5 AREA=6,009.75 S.F.

PARCEL 6 AREA=6,009.75 S.F.

PARCEL 7 AREA=6,009.75 S.F.

PARCEL 8 AREA=6,009.75 S.F.

NOT A PART AREA = 57,630.35 S.F.

-PARCEL 7

PARCEL 8 AREA=6,009.75 S.F.

NOT A PART AREA = 57,630.35 S.F.

ZONING -PARCEL 1 R-2
-PARCEL 2 R-2
-PARCEL 3 R-2
-PARCEL 4 R-2
-PARCEL 5 R-2
-PARCEL 6 R-2

-PARCEL 8 R-2

R-2

### PERTINENT EASEMENTS INCLUDING NON-SIGNATORY RIGHTS OR 630/133 AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND

RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT.
GRANTED TO THE COUNTY OF IMPERIAL IN BK 630, PG 133. FOR
OPERATIONS AND MAINTENANCE OIF A HIGHWAY

OWNER: GARCIA CONSTRUCTION, A

CALIFORNIA CORPORATION

OR 517/546

AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT.

GRANTED TO THE IMPERIAL IRRIGATION DISTRICT IN BK 517, PG 546.

OPERATIONS OF A POWER POLE.

DOC 2004-013461 AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT.

GRANTED TO THECITY OF BRAWLEY IN DOCUMENT 2004-013461.

OPERATIONS AND MAINTENANCE OF A PUBLIC STREET

1"=40

RTD CONSULTING
299 J STREET
BRAWLLEY, CA. 92227
RAYTDIAL@GMAIL.COM
760 550 0163

# CODE ENFORCEMENT REPORT AUGUST 2017

PROPERTY ADDRESS	VIOLATION TYPE	DATE CHECKED	COMMENTS
913 "H" Street	Zoning	08-03-17	Trailer parked in back yard-trailer removed.
696 South Imperial Avenue	Abandoned Vehicle	08-04-17	Abandoned vehicles on property-vehicles removed.
921 Ivy Street	Abandoned Vehicle	08-10-17	Abandoned vehicles front and back yard-vehicles removed.
306 North 1 <sup>st</sup> Street	Zoning	08-10-17	Converted house to multiple units without permit-in process.
1175 "J" Street	Abandoned Building	08-21-17	Checked for transients- no one on site.
1111 "D" Street	Zoning	08-21-17	Animals on property- animals removed.
771 South Imperial Avenue	Zoning	08-23-17	Trailer in front yard-in process.
1148 "E" Street	Zoning	08-25-17	Vehicles in front yard-sent second notice.
250 Wildcat Drive	Code Enforcement	08-29-17	Overgrown weeds-area cleaned.

# CODE ENFORCEMENT REPORT SEPTEMBER 2017

PROPERTY ADDRESS	VIOLATION TYPE	DATE CHECKED	COMMENTS
771 South Imperial Avenue	Zoning	08-23-17	Trailer removed from front yard.
1148 "E" Street	Abandoned Vehicle	08-24-17	Vehicles in front yard-removed.
224 H Street	Zoning	08-31-17	Fire damaged house-in process.
1137 Main Street	Vacant Building	09-06-17	Abandoned house-in process.
Dogwood Road	Code Enforcement	09-06-17	Weed abatement-completed.
921 H Street	Zoning	09-14-17	Trailer park removed from back yard.
1627 Main Street	Zoning	09-15-17	Trailer being occupied-in process.
Latigo Ranch	Code Enforcement	09-20-17	Weed abatement-completed.
Best Road	Code Enforcement	09-20-17	Weed abatement-completed.
Malan Park	Code Enforcement	09-20-17	Weed abatement-completed.
353 H Street	Vacant Lot	09-20-17	Weeds on vacant lot-completed.
476 H Street	Zoning	09-20-17	Overgrown weeds and tree debris-completed.
190 North Las Flores	Code Enforcement	09-21-17	Dumpster full, mattress and trash all over-completed
1111 D Street	Zoning	09-22-17	Animals and trash at back yard-in process.