

BRAWLEY DRC PUBLIC HEARING MEETING AGENDA

9 AM, October 3, 2019

**City of Brawley Public Works Conference Room
180 South Western Avenue, Brawley, CA**

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|--|---------|
| 1. Additions to the Agenda if Necessary | 9:00 AM |
| 2. 147 N 8 th Street/ Restaurant Public Hearing | 9:15 AM |
| A. Building Permits Required | |
| B. CUP Condition Review | |
| C. Improvements Required to Meet Standards | |
| D. Recommendations | |
| 3. Other Planning Issues | 9:45 AM |
| 4. Adjourn | 10:15AM |

NOTE TO THE PROPERTY OWNER: DEVELOPMENT REVIEW COMMITTEE POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE MEETING FOR THIS ITEM. YOU WILL REMAIN IN THE WAITING AREA UNTIL YOUR ITEM IS HEARD. FAILURE TO ATTEND THE MEETING WILL RESULT IN RESCHEDULING TO THE NEXT DRC MEETING. PLEASE DIRECT ANY QUESTIONS TO THE PLANNING DEPARTMENT AT (760) 344-8822.

STAFF REPORT

Conditional Use Permit #: CUP 19-01

Property Owner(s): Ciudad Plaza
c/o Robert O'Brien, Elizabeth Machado,

Representative(s): Tony Machado

Legal Description: LOTS 17 TO 21 INCL BLK 79 TOWNSITE OF
BRAWLEY OM 1 15, City of Brawley, County of
Imperial, State of California, APN 047-345-007

Location: 147 N. 8th Street

Area: 0.5 Acres (21,780 Square Feet)

Zoning: Planned Development Civic Center Neighborhood

Existing Use: Vacant Building

Proposed Use: Restaurant

Surrounding Land Uses:

North - C-2 (Commercial) / Tire Shop
South - P-D CM (Civic Center Main Street)/Ciudad Plaza
East - P-D DC (Downtown Civic) / Brawley Fire Station No. 1
West- P-D CN (Civic Center Neighborhood) / Mother Earth Nutrition

General Plan Designation: Commercial (Planning Area)

**PLANNING DIRECTORS PUBLIC HEARING,
DEVELOPMENT REVIEW COMMITTEE MEETING, JULY 5, 2018
9:00 A.M., CITY COUNCIL CHAMBERS,
383 MAIN STREET, BRAWLEY, CALIFORNIA**

Conditonal Use Permit: CUP 19-01

General Information:

The applicant is requesting a conditional use permit to allow for a restaurant. The property is currently zoned Civic Center Neighborhood. The site is currently Vacant Building and is 0.5 acres in size. Access is proposed via 8th Street. There are no zoning conditions currently imposed on this property.

Staff Recommendation:

1. Landscaping will be required as per Sec. 27.180 of the Zoning Ordinance and the Downtown Specific Plan.
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. The developer shall pave the alley to Engineering Standards to the nearest street (North 2nd Street).
5. 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.
6. 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.
7. 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.
8. 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.
9. 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 153301 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, Downtown Specific 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.

Civic Center Neighborhood zoning permits Restaurant by conditional use permit.

The Committee must determine the following:

- A. The conditional use permit for a Restaurant protects the best interest, health, safety and welfare of the public in general.
- B. The conditional use permit for a Restaurant 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 a Restaurant 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 a Restaurant 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. *A traffic impact study may be required to determine the effects of the proposed development on the public right - of - way.*
- E. Any impacts created by the proposed Restaurant on adjacent property are adequately mitigated with the design, proposed construction and phasing of the site development.
- F. The design of the Restaurant mitigates substantial environmental problems.
- G. The Restaurant provides adequate landscaping and/or screening where needed to reduce visibility to adjacent uses.
- H. The Restaurant is compatible with adjacent structures and uses.
- I. The proposed Restaurant is not materially detrimental to the enjoyment or valuation of the property adjacent to the site.

ATTACHMENT: Location Map

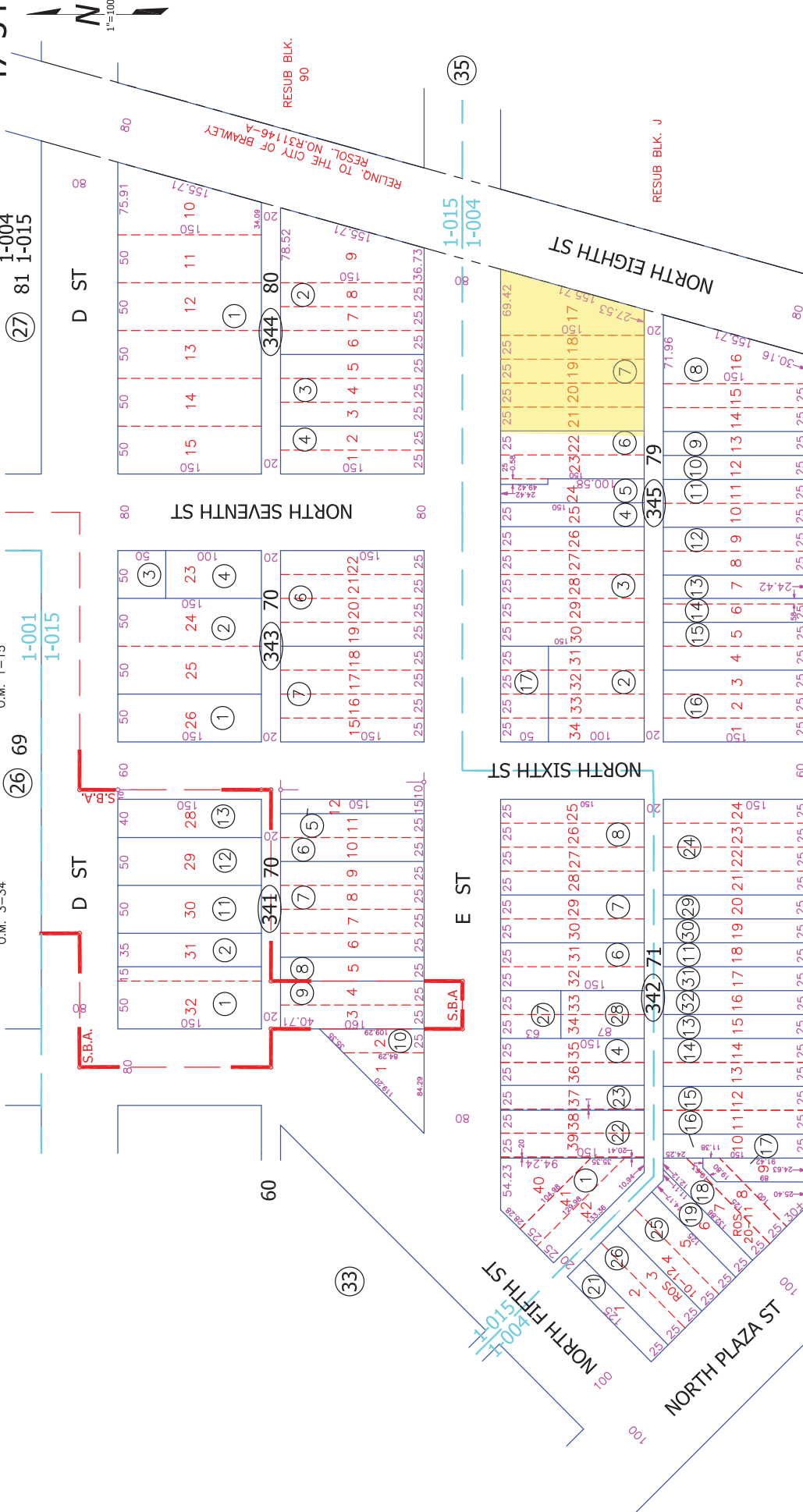
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47-34



Tax Area Code
1-004
81 1-015

POR. SUB. BRAWLEY AVE. & POR. OF TOWNSITE
O.M. 1-15
26 69



RELINO. TO THE CITY OF BRAWLEY
RESOL. NO.R31139

RELINO. TO THE CITY OF BRAWLEY
RESOL. NO.R31139

- 9-6-11 MF
- 6-21-11 MF
- 6-1-11 MF
- 3-9-94 RM
- 5-12-93 RM
- 12-2-91 DP
- 6-17-85 RM

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)

Bk.49
Pg.02

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FLXIS
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CITY OF BRAWLEY
Assessor's Map Bk.47-Pg.34
County of Imperial, Calif.

4-11-13 MF
10-16-12 MF

CUP 19-01 Location Map

