

PLANNING COMMISSION

Darren Smith, Chairman

Robert Palacio, Vice-Chairman

Eugene Bumbera Jay Goyal Kevan Hutchinson

George A. Marquez Ramon Castro

AGENDA

**PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, OCTOBER 7, 2015 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 SEPTEMBER 2, 2015
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. An application for a parcel map (PM15-03) to subdivide the current parcel into two (2) parcels for finance phasing of an approved apartment complex.
Applicant: Imperial Valley Housing Authority
1402 D Street
Brawley, CA 92227
Location: Southeast Corner of Malan Street and South 1st Street, more particularly described as Lot B, Amended Map of Malan Park, City of Brawley, County of Imperial, State of California, APN048-275-055

REGULAR BUSINESS

6. ZONING CODE ENFORCEMENT
7. NEXT MEETING DATE

8. ADJOURNMENT

Supporting documents are available for public review in the Planning Department, 400 Main Street, Suite 2, Brawley, Monday through Friday, during regular posted business hours. The full agenda is also available online at http://www.brawley-ca.gov/media/module/content_item/Oct_07_2015_PCAGenda.pdf. Individuals who require special accommodations are requested to give 24-hour prior notice.
Contact: Alma Benavides, City Clerk. 760-351-3080

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 Hutchinson at 5:31 p.m.

Present: Palacio, Goyal, Hutchinson, Bumbera, Marquez

Late: Castro 5:50 p.m.

Absent: Smith

2. APPROVAL OF AGENDA

Motion: The Planning Commission approves the agenda as presented.

m/s/c Bumbera/Marquez 5-0

3. APPROVAL OF MINUTES

Motion: The Planning Commission approves the minutes of August.5th.2015 as presented.

m/s/c Goyal/Bumbera 5-0

4. PUBLIC APPERANCES

Chairman Hutchinson called for Public appearances. There were none.

PUBLIC HEARINGS

- 5. An application for a variance (VAR 15-01) to allow for an increase in the maximum height of a fence in the front yard setback of an R-2 (Residential Low Density) zone from four(4) feet to six (6) feet.

Applicant: Issac Villarreal
 1645 C Street
 Brawley, CA 92227

Location: 1645 C Street, more particularly described as Parcel 3 of Parcel Map BPM 94-04 of the East half of Lot 3, Brawley Subdivision No. 1, City of Brawley, County of Imperial, State of California, APN 047-250-034

Gordon Gaste, Planning Director gave an overview of the project. The fence is currently four (4) feet and wants to be increased to six (6) feet. The Variance application was submitted for the purpose to increase size of fence.

- **Public hearing opened at: 5:37p.m.**

Applicant Issac Villarreal was present for questioning. Applicant stated that the main purpose of increasing the size of the fence is for “security purposes”.

No other public comments received.

- **Public hearing closed at 5:41 p.m.**

Motion: The Planning Commission approves the application for variance (VAR 15-01) to allow for an increase in the fence size, from four (4) feet to six (6) feet for security purposes. m/s/c Bumbera/Marquez 5-0

6. **An application for a parcel map (PM 15-02) and Variance (VAR 15-02) to subdivide the current parcel into three (3) parcels to allow for the construction of additional single or multiple family dwellings. The variance will allow for a two and one half (2.5) foot reduction of the rear yard setback for the two most easterly parcels from twenty (20) to seventeen (17) and one half (½) feet (17.5).**

**Applicant: Romulo Garcia, Jr.
2300 Ashton Street
Imperial, CA 92251**

Location: 665 South Western Avenue, more particularly described as the North 93 feet of the South 258 feet of Lot 21, Rio Vista Rancho Subdivision, City of Brawley, County of Imperial, State of California, APN 048-185-010

Gordon Gaste, Planning Director gave an overview of the project. The property is currently zoned R-3 (Residential Medium Density). The lot is over an acre and stretches from South Western Avenue to South El Cerrito Avenue. The applicant wants to split the lot into 3 lots. The variance is needed because of two (2) existing buildings on the lot which does not allow for the needed twenty (20) feet yard setbacks in order to split lots evenly. Variance is to allow seventeen and a half (17.5) feet yard setback instead of

the twenty (20) feet yard setback. Applicant was not available to answer any questions.

- **Public hearing opened: 5:53 p.m.**

Todd Dial, Surveyor for Mr. Garcia, represented Mr. Garcia's project. Mr. Dial was able to answer questions and provide clarification in regards to the project.

- **Public hearing closed: 5:56 p.m.**

Motion: The Planning Commission approves the application for a parcel map (PM 15-02) to allow for the subdivision of the current parcel into three (3) parcels in order for future development and the application for variance (VAR 15-02) to allow yard setback be seventeen and a half (17.5) feet instead of twenty (20) feet. m/s/c Goyal/Marquez 6-0
5:58 p.m.

7. REVIEW & ADOPTION OF PLANNING COMMISSION RULES 2015-2016

The Planning Commission approved the review and adoption of the rules.
m/s/c Bumbera/Marquez 5:43 p.m.

8. ELECTION OF OFFICERS 2015-2016

Mr. Smith and Mr. Hutchinson were nominated for Chairman of The Planning Commission. The Commission elected Mr. Smith.
m/s/c Hutchison/Goyal 4-2
Mr. Palacio was nominated for Vice Chairman. There were no other nominations. m/s/c Marquez/Hutchinson 6-0
5:51 p.m.

9. ZONING CODE ENFORCEMENT

Mr. Francisco Soto, the Building Official reported: that there was twenty-six (26) Code Enforcements Items between the months of July and August. Five (5) that pertained to "Zoning", six (6) which pertained to "Housing", five that were either "Building Code Violations" or "Investigations" to see if there were any code violations, followed through on three (3) investigative requests from the Finance Department that had to do with "Business License" enforcements. There were four (4) "Miscellaneous Items" that were also dealt with and handled.

6:00 p.m.

9. NEXT MEETING DATE

The Commission adjourned to the next regular meeting on October.7th. 2015.

6:10 p.m.

10. ADJOURNMENT

Motion: The Planning Commission meeting adjourned at 6:11 p.m.

m/s/c Marquez/Bumbera

PLANNING COMMISSION STAFF REPORT

Minor Subdivision: PM15-03 (Parcel Map) - Malan Street Apartment Site

Property Owner/

Applicant: Imperial Valley Housing Authority

Representative: BJ Engineering & Surveying, Inc.

Legal Description: Lot B, Amended Map of Malan Park, City of Brawley, County of Imperial, State of California, APN048-275-055

Location: Southeast corner of Malan Street and South 1st Street

Area: 5.00 Acres (217,990 Square Feet)

Zoning: R-3 (Residential Medium Density)

Existing Use: Vacant

Proposed Use: Apartments

Surrounding Land Uses:

North - P-F (Public Facilities) / Elementary School

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

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

West- R-3 (Residential Medium Density) / Apartments-Condos

General Plan Designation: Medium Density Residential

CEQA Status: Exempt

Minor Subdivision: PM15-03

General Information:

The parcel map was submitted in order to subdivide the property for finance phasing of an approved apartment complex to be located on this site. The property is currently zoned R-3 (Residential Medium Density). The site is currently vacant and is 5.00 acres in size. Access is proposed via South 1st Street and Malan Street. There are zoning conditions currently imposed on this property from a recent site plan review.

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 site plan, parcel map, and variance.
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.

The recommendation is based on the following findings:

1. The proposal is exempt from CEQA pursuant to Sections 15301(a), 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 apartments by **Right**. The new parcels will be greater than the minimum 7,500 square foot lot size.

Minor Subdivision: PM15-03

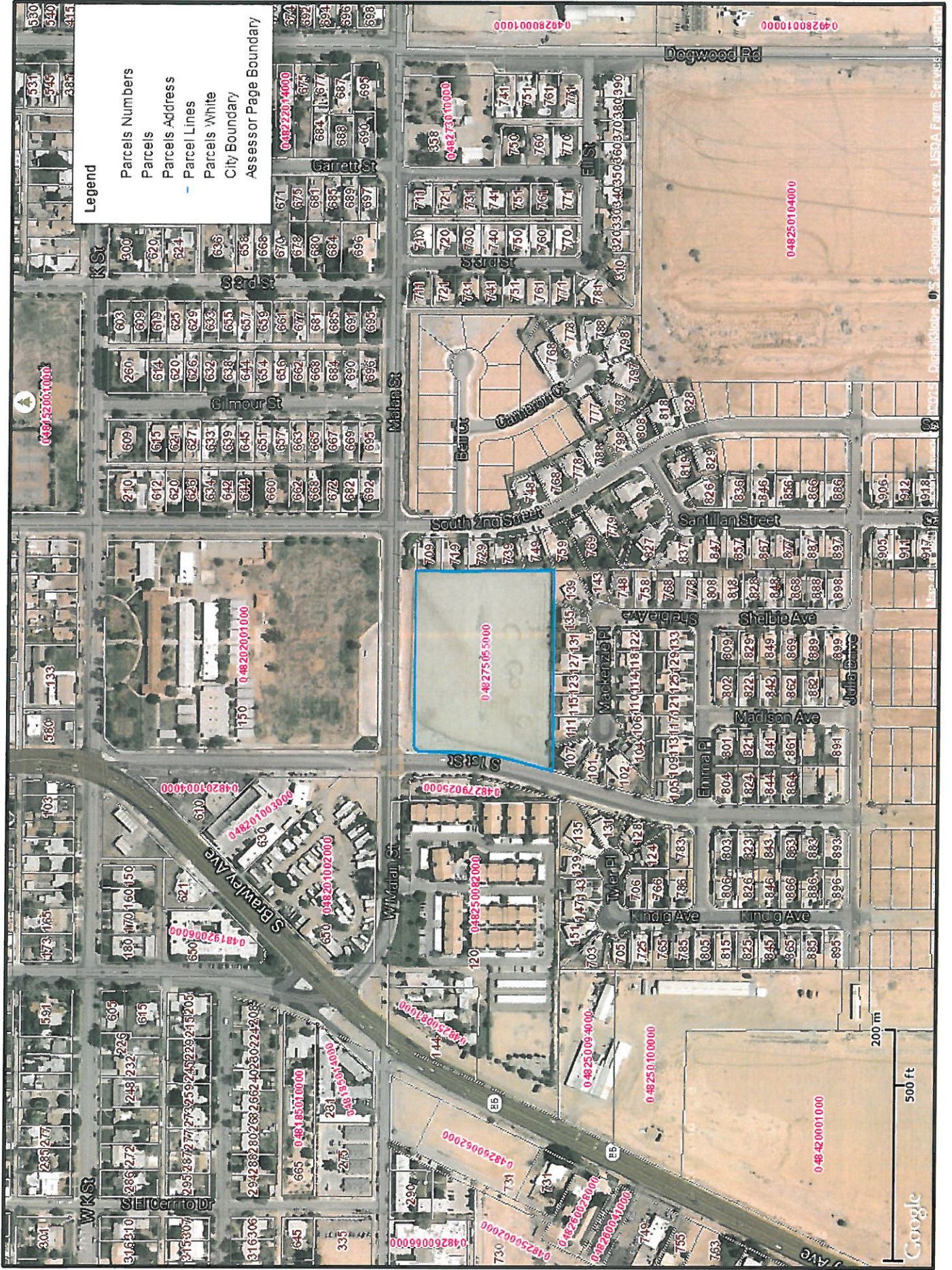
The Commission must determine the following:

- 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.
- C. The proposed Parcel Map is in accordance with and in furtherance of the Brawley General Plan and Brawley Housing Element.
- 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 separate and blend with 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.

PM15-03



Legend
Parcels Numbers
Parcels
Parcels Address
Parcel Lines
Parcels White
City Boundary
Assessor Page Boundary

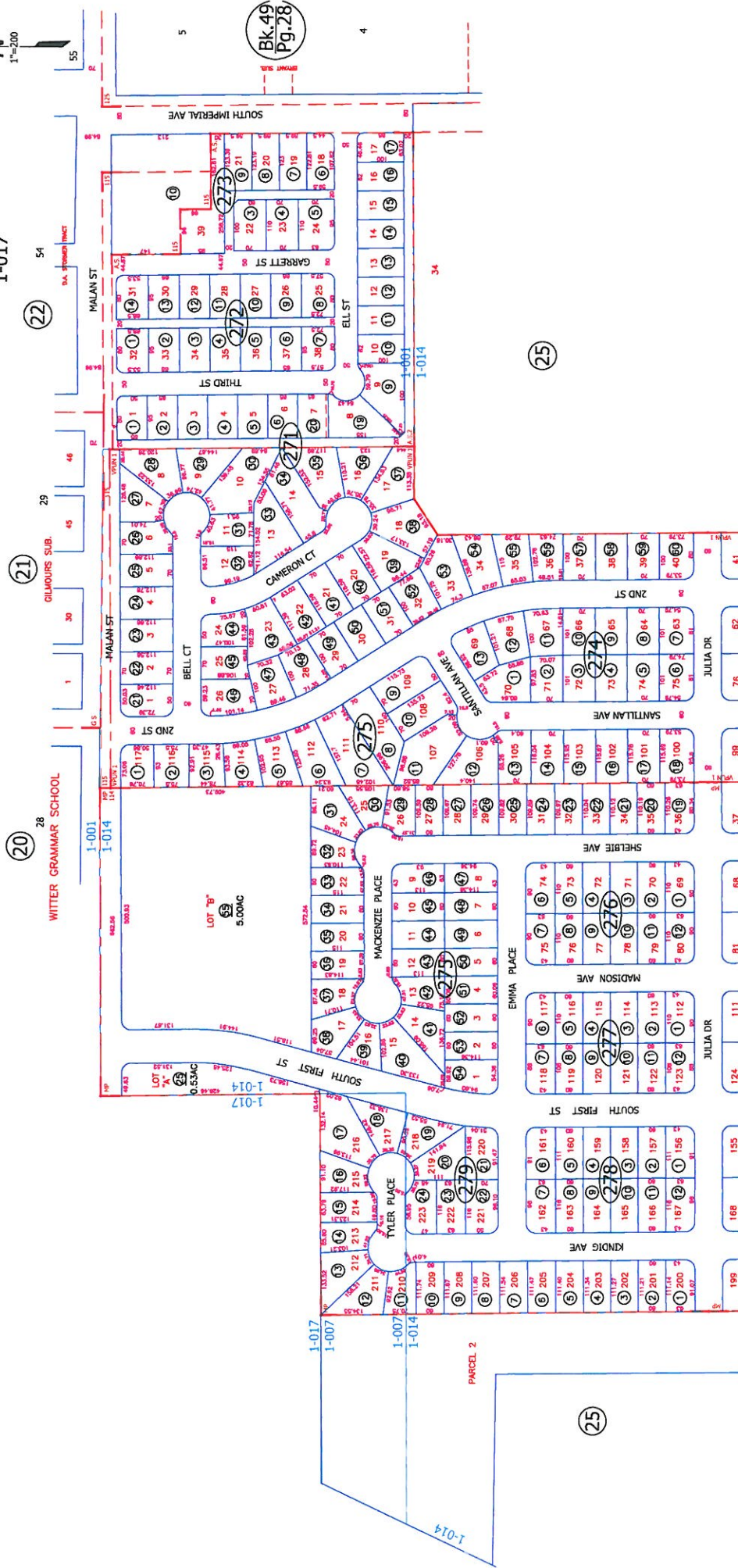
04827505000

Map showing parcel boundaries, addresses, and parcel numbers. The map includes a legend in the top left corner and a scale bar in the bottom right corner. The Google logo is also present in the bottom right corner.

ASHURST SUB. & POR. VICTORIA PARK UNIT NO. 1 & POR TRACT 115 & MALAN PARK
 FM 9-56 FM 23-24 FM 25-63

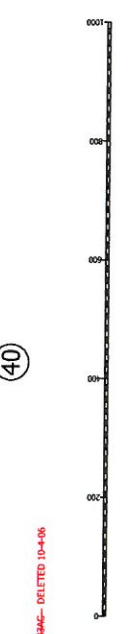
Tax Area Code
 1-001
 1-007
 1-014
 1-017

48-27



05-04-07 MF
 12-28-05 RM
 09-09-05 RM
 4-8-83 RW
 5-26-76 IJ

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)



CITY OF BRAWLEY
 Assessors Map Bk. 48-Pg. 27
 County of Imperial, Calif.

12-29-11 MF

