



Brawley City Council
& Successor Agency to
Brawley Community Redevelopment Agency
and
Brawley Planning Commission
Agenda Special Joint Meeting
Tuesday, October 23, 2012 @ 5:30 PM
City Council Chambers
383 Main Street
Brawley, California 92227

George A. Nava, Mayor
Sam Couchman, Mayor Pro-Tempore
Miguel C. Miranda, Council Member
Ryan E. Kelley, Council Member
Don C. Campbell, Council Member

Jitendra Goyal, Chairperson
Eugene Bumbera, Commissioner
Kevan Hutchinson, Commissioner
George Marquez, Commissioner
Eric M. Reyes, Commissioner
Darren Smith, Commissioner
Ramon Sagredo, Commissioner

Alma Benavides, City Clerk
Jim Hamilton, City Treasurer
Dennis H. Morita, City Attorney
Rosanna Bayon Moore, City Manager/Executive Director

CALL TO ORDER

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

1. **PUBLIC APPEARANCES/COMMENTS** (Not to exceed 4 minutes) *this is the time for the public to address the Council **on any item not appearing on the agenda** that is within the subject matter jurisdiction of the City Council. The Mayor will recognize you and when you come to the microphone, please state your name for the record. You are not allowed to make personal attacks on individuals or make comments which are slanderous or which may invade an individual's personal privacy. Please **direct your questions and comments to the City Council.***

2. **CITY COUNCIL & PLANNING COMMISSION REGULAR BUSINESS**

a. **PUBLIC HEARING**

1. Condition Modification for a Condominium Map & Site Plan (TM06-04/SP06-07) Submitted by Sartan Nahar LLC (Florentine Estates, formerly Springhouse); Property Location: 451 Panno Drive, Brawley, California; Legally Described as: Lots 1 & 2, Springhouse at Brawley, City of Brawley, County of Imperial, State of California; APN 048-260-096 & 097. Currently Zoned R-3 and Consists of 17.67 Acres. The Applicant is Requesting to Change the Conditions of Approval Allowing for Construction of 60 Units Prior to the Completion of Panno Drive to Brawley Avenue (SR86).
- b. Discussion & Action Regarding Condition Modification Allowing for Construction of 60 Units Prior to the Completion of Panno Drive to Brawley Avenue (SR86)

3. **CITY COUNCIL REGULAR BUSINESS**

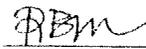
- a. Discussion & Action Regarding Substantive Modification to Reimbursement Agreement Between City of Brawley, Panno & Highway 86 Associates (Capstone) & Sartan-Nahar LLC (Florentine Estates)
- b. Discussion & Action Regarding Applicable City of Brawley Development Impact Fees & Water & Wastewater Capacity Fees for Sartan Nahar LLC (Florentine Estates)
- c. Discussion & Action Regarding Partial Demolition & Fencing Activities for APN 049-023-007 Located at Northwest Corner of 8th & G Streets
- d. Adopt Resolution No. 2012 : Authorizing the Extension of the Abandoned Vehicle Abatement Program Until March 31, 2013

ADJOURNMENT Next Regular Meeting, **November 6, 2012 @ 6:00 PM**, City Council Chambers, 383 Main Street, Brawley, California. Supporting Documents are available for public review in the Office of the City Clerk, 383 Main Street, Brawley, California 92227 - Monday through Friday during Regular Business Hours; Individuals who require special accommodations are requested to give 48 hours prior notice. Contact: Office of the City Clerk @ 760-351-3080 **Janet P. Smith**, Deputy City Clerk

**JOINT PLANNING COMMISSION
AND CITY COUNCIL AGENDA REPORT**

City of Brawley

Meeting Date: October 23, 2012

City Manager: 

PREPARED BY: Gordon R. Gaste, AICP, Planning Director

PRESENTED BY: Rosanna Bayon Moore, City Manager

SUBJECT: Florentine Estates (formerly Springhouse) Request for Condition Modification

BACKGROUND: The Brawley City Council approved the Tentative Tract Map / Site Plan for the project area formerly known as Springhouse Condominiums and today referred to as Florentine Estates on November 1, 2006. The original project description consisted of two hundred and fifty six (256) multi-family condominium units. The City of Brawley's California Environmental Quality Act (CEQA) review and entitlement process were conducted for the impacts associated with 256 dwelling units, although the project was later reduced to one hundred and sixty (160) dwelling units when Sartan-Nahar, LLC assumed ownership.

On October 4, 2011, in a Condition Modification request by the Developer of Florentine Estates, the Brawley Planning Commission recommended the allowance of 40 total units to be constructed and occupied prior to the completion of Panno Street. On November 1, 2011, the Brawley City Council considered the Planning Commission's recommendation and determined at a continued public hearing on December 20, 2011 that only the existing 21 units be allowed for occupancy prior to completion of Panno Street. At the time, the City was engaged in a lawsuit with the bonding company for offsite improvements, including Panno Street. The request to increase the number of units to sixty was declined due to the City Council's concern with the unknown timeline for the completion of Panno Street.

Following the settlement of outstanding issues with the above-referenced bonding company in Summer of 2012, the Brawley City Council considered taking a more active role in the construction of Panno Street at a public meeting on July 17, 2012,. To address traffic relief in the area, the City considered a method for assisting with completion of a fully functional roadway by taking the lead to construct the Caltrans portion of the work. At the public meeting, the City Council authorized the construction of the Panno Street / State Highway 86 intersection, agreeing to advance approximately \$1,016,000 in City funds from traffic impact fees. This specific scope of work was approved with several key provisions, including the two Developer beneficiaries' participation in a reimbursement agreement, completion of the remainder of Panno Street (Phase II Street Improvements) between Willard and HWY 86 and the City's contribution of a non-reimbursable sum of \$300,000.

Aside from the condition modification that is subject to requirements for a duly noticed public hearing, the City Council will also consider a number of other items at the Developers request. These include the following:

- a. Applying current development impact fees and water and sewer capacity fees to the next sixty (60) units
- b. Substantively modifying the Reimbursement Agreement between Capstone Advisors and Florentine Estates to cap the Developers exposure to the reimbursable amount associated with the City-initiated scope of work at Panno Street / HWY 86

DISCUSSION: The Developer of the Florentine Estates Condominiums (formerly Springhouse) is requesting

modification of an existing condition imposed on the project. The Developer is requesting construction of 60 units prior to construction of the length of Panno Street to join Brawley Avenue (SR 86). Originally, the entire width of Panno Street was to be completed per conditions #23 and #27. The Applicant initiated a subsequent traffic study which was then reviewed by the City's Traffic Engineer, Public Works Department and the Planning Department.

Julia Drive is currently operating under a Level of Service (LOS) B which, per Traffic Engineering Standards and the City's General Plan, "represents stable flow, but individual drivers are somewhat affected by other vehicles in determining travel speeds." Julia Drive is classified as a "Residential Street" providing a LOS B if the traffic is under 1,500 average daily trips per day (ADT). Currently, the street has an average of 1,225 ADT.

With the proposed 60 units to be constructed, the ADT would increase to approximately 1,493 ADT which would bring the LOS to a B level. The General Plan states, per Section 1.1.4 of the Circulation Section contained within the Infrastructure Element that the City shall develop and implement performance standards for acceptable levels of service with a minimum LOS of C. LOS C is described by Traffic Engineering Standards and the General Plan, as "representing a stable flow, but the selection of speeds of individual drivers are significantly affected by other vehicles." To maintain a LOS B, the number of units should not exceed 60.

American Legion Street is currently operating as a LOS D which, per Traffic Engineering Standards and the General Plan, represents "a condition of high density, stable traffic flow in which speed and freedom of movement are severely restricted by the presence of other vehicles. At signalized intersections, some vehicles may occasionally have to wait for more than one green light in order to pass through the intersection."

While American Legion Street is currently classified as a Collector, the actual configuration of American Legion Street is that of a Local Collector. The City of Brawley General Plan distinguishes a Collector from a Local Collector as follows:

Collector Designation. A Collector is an 84 foot right of way with four 12 foot lanes of travel, two 8 foot mass transit, bicycle or parking lanes and a 10 foot Public Utilities Easement (PUE) on each side for utilities and an attached sidewalk. A Collector operates at a LOS B with 22,800 ADT and a LOS C at 27,400.

Local Collector Designation. A Local Collector is a 70 foot right of way with two 12 foot lanes of travel, two 8 foot parking lanes and a 15 foot PUE on each side for utilities and a detached sidewalk. A Local Collector accommodates up to 7,100 ADT for LOS C and 10,900 for LOS D.

Currently, American Legion Street is operating at an ADT of 7,850. With the addition of 60 units, the ADT would range between 7,982-8,019. With the addition of 60 units, the ADT would be at a LOS of D in its Local Collector configuration.

ATTACHMENTS: Original Springhouse Conditions of Approval
Darnell & Associates Letter Dated August 4, 2011
City of Brawley Development Impact Fee Implementation Schedule
City of Brawley Wastewater Capacity Fee Schedule
City of Brawley Water Capacity Fee Schedule
Brawley Planning Department Application for Condition Modification
Notice of Public Hearing, Proof of Service, Mailing List

Conditions of Approval
SP06-07 Site Plan/Tentative Tract Map - Springhouse

Portion of Tract 113, Township 13/14 South, Range 14 East, City of Brawley, County of Imperial, State of California, APN 048-250-63 & 64

Planning Commission approval of the Site Plan/Tentative Tract Map is subject to compliance with the following conditions:

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.
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, trash enclosures, parking 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 Planning Commission or City Council concerning the subdivision. The City of Brawley shall promptly notify the Subdivider 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.
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. 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 ensure 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.
10. 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.
11. 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.
12. 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 75 watts elsewhere.
13. Stop signs, stop bars and legend, shall be provided at locations determined by the City Engineer.

14. Developer shall provide to the Project, underground utility services such as: natural gas, telephone and cable television in coordination with the corresponding utility company.
15. Project shall pay its fair share toward the cost to up-grade and improve the existing sewerage treatment plant and/or lift station(s).
16. 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 (300 feet), table A-III-B-I. Installation of fire hydrants shall be prior to construction of each respective phase of the development.
17. Project must comply with local, state and federal storm drainage discharge permit regulations.
18. Provide adequate drainage to prevent runoff into agricultural land and subsequent erosion of soils.
19. 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.
20. Implementation of Best Management Practices and a Storm Water Pollution Prevention Plan to prevent soil erosion and polluted runoff.
21. Subdivider shall obtain all stormwater drainage permits from the Regional Water Quality Control Board.
22. Subdivider shall pay fees to record and process the tentative map and related environmental documents.
23. Subdivider shall construct all road improvements to the entire right-of-way for Panno Street.
24. Per Section 23A.23 of the City of Brawley Subdivision Ordinance, the applicant shall provide the fair market value of the property to determine the amount of Quimby fees before final map submittal.
25. A qualified biologist shall conduct a survey of the property for the presence of burrowing owls, and a written report on the results of the survey shall be provided for review by the Brawley Planning Department before commencement of each phase of site grading. The City shall require mitigation for potential impacts if burrowing owls or their burrows are present onsite and would be impacted by the grading.
26. 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.
27. Per the Griffin Smyth traffic study, Panno Street shall be fully completed from Highway 86 to Willard Avenue prior to any certificate of occupancy for the condominiums.
28. No parking shall be allowed on the interal streets.
29. If the Imperial Irrigation District allows, the developer shall maintain the landscaping over the IID easement over the Mansfield canal to the west of the property.
30. No parking signs and red curbs shall be placed on internal streets at the descretion of the Public Works Director and Fire Chief.
31. The masonry wall on the northern boudary of the property shall be completed prior to construction of any buildings.

Darnell & ASSOCIATES, INC.

TRANSPORTATION PLANNING & TRAFFIC ENGINEERING

August 4, 2011

Stuart Chelin
Sartan-Nahar LLC
77862 County Club Drive, Suite A3
Palm Desert, CA 92211

D&A: 101201

Subject: Response to comments by Mr. Hui Lai, Traffic Safety Engineers dated April 26, 2011 on Darnell & Associates, Inc. January 10, 2011 Springhouse/Florentine Traffic Study and City Comments to address the capacity of Legion Road between Willard Road and SR-86.

Dear Mr. Chelin,

I have reviewed the Traffic Safety Engineers Memorandum (copy attached) on our January 10, 2011 Traffic Study and have the following comments.

1. I can agree to the project trip distribution recommended by Mr. Lai. This represents the worst case condition on Julia Drive.
2. I can also agree that the street LOS "C" carrying capacity for Julia Drive is 1,500-1,800 Average Daily Traffic (ADT) based on the Institute of Transportation Engineers ITE Guidelines recommended by Mr. Lai. The ITE range of acceptable daily traffic for Level of Service (LOS) "C" is 1,500 to 1,800. The 1,500 ADT value represents the change from LOS "B" to LOS "C" and the 1,800 ADT value representing the upper limit of LOS "C" capacity before it changes to LOS "D".
3. Based on Mr. Lai's recommended project trip distribution the resulting daily traffic volumes and Level of Service on Julia Drive are as follows:

		ADT	LOS
A:	Existing Traffic	1,225 ADT	LOS "B"
B:	Existing Plus 21 Project Units	1,332 ADT	LOS "B"
C:	Existing Plus 54 Project Units	1,470 ADT	LOS "B"
D:	Existing Plus 60 Project Units	1,493 ADT	LOS "B"
E:	Existing Plus 72 Project Units	1,539 ADT	LOS "C"
F:	Existing Plus 96 Project Units	1,629 ADT	LOS "C"
G:	Existing Plus 135 Project Units	1,769 ADT	LOS "C"

4. Review of the Julia Drive ADT presented above permitted the following conclusion:
 - The addition project traffic to existing traffic results in each of the project alternatives operating at LOS "C" or better.
 - The 21, 54 and 60 project units would operate at LOS "B" the current LOS for Julia Drive.
 - The 72 unit project would operate at LOS "C" with 1,539 ADT which is only slightly above the beginning range of LOS "C". (It exceeds LOS "B" by only 1.6 ADT per hour).
 - The 96 unit project would operate at the midrange of LOS "C" with 1,629 ADT.
 - The 135 unit project would still operate within the limits of LOS "C" with 1,769 ADT.

5. I have analyzed Legion Road between Willard Avenue and SR-86 to identify the Level of Service (LOS) for the existing conditions and with the addition of the 21, 54, 72, 96 and 135 dwelling unit options. To confirm the capacity of Legion Road, I contacted Hui Lai, the City of Brawley Traffic Consultant. Based on our discussions, we agreed that the daily capacity of Legion Road at Level of Service "E" was 10,900 ADT and the peak hour Level of Service "E" capacity was 960 veh/hr/Lane, based on two lanes of travel. Based on Mr. Lai's recommended project trip distribution the resulting daily and peak hourly volumes and Level of Service on Legion Road is set out in Table 1.

Daily and peak hourly traffic for existing and cumulative with the addition of the project of 21, 54, 72, 96 and 135 dwelling unit alternatives was generated and is presented in Table 1. Also presented in Table 1 is the resulting daily and peak hourly level of service. Review of Table 1 shows Legion Road is operating at LOS "C" and will continue to operate at LOS "C" with the addition of project traffic for each condition on a daily basis. The peak hourly analysis shows each condition operating at LOS "B".

In summary each of the project alternatives will result in Legion Road operating at LOS "C" on a daily basis and LOS "B" for peak hourly conditions.

**Table 1
 Legion Road Capacity Analysis**

Condition	Project ADT	ADT	V/C (a)	LOS (*)	AM Peak				PM Peak			
					Project Peak Hour Volume	Existing Plus Project Peak Hour Volume	V/C (b)	LOS (a)	Project Peak Hour Volume	Existing Plus Project Peak Hour Volume	V/C (b)	LOS (a)
A) Existing Conditions	0	7850	0.72	C	0	618	0.64	B	0	619	0.64	B
B) Existing Plus 21 Units	58	7908	0.73	C	5	623	0.64	B	6	625	0.65	B
C) Existing Plus 54 Units	132	7982	0.73	C	11	629	0.64	B	13	632	0.66	B
D) Existing Plus 72 Units	169	8019	0.74	C	14	632	0.66	B	16	635	0.66	B
E) Existing Plus 96 Units	217	8067	0.74	C	18	936	0.66	B	20	639	0.67	B
F) Existing Plus 135 Units	293	8143	0.75	C	23	641	0.67	B	27	646	0.67	B

(a) Based on 10,900 LOS "E" Capacity, ADT = Average Daily Traffic

(b) Based on Two Lane Capacity of 960 veh/hr (480 veh/hr x 2 lanes) and LOS "B" = V/C 0.60 to 0.69, LOS "C" = V/C 0.70 to 0.79, LOS "D" = V/C 0.80 to 0.89, Los "E" = V/C 0.90 to 0.99

Stuart Chelin
Sartan-Nahar LLC
August 4, 2011
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Please feel free to contact our office should you have any questions or comments.

Sincerely,

DARNELL & ASSOCIATES, INC.

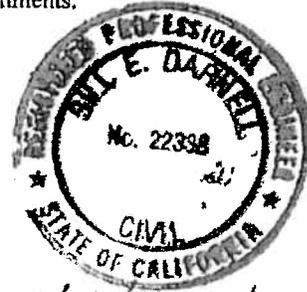


Bill E. Darnell, P.E.

RCE: 22338

BED/vls/jam

101201- Revised Springhouse Comment Memo.docx



Date Signed:

8/4/2011

Attachment

- Traffic Safety Engineers April 26, 2011 Memorandum
- Julia Road and Legion Road Existing Traffic Counts



TRAFFIC SAFETY ENGINEERS

Date: April 26, 2011
To: Yazmin Arellano, Brawley Director of Public Works/City Engineer
From: C. Hui Lai, Brawley City Traffic Engineer

Subject: Springhouse/Florentine Traffic Study Comments

I have reviewed the traffic impact study for the subject project dated January 10, 2011. My findings and recommendations are as follows:

1. Page 11, Figure 5, Project Distribution

Figure 5 shows the percentages of project trips distributed at each of the study intersections. For example, it shows that 50% of southbound project traffic on S.R. 86 is projected to make a right onto Julia Drive, continue westbound on Julia Drive, turn left onto Willard Avenue, continue southbound on Willard Avenue, and subsequently enter the project site. However, Figure 5 shows that an additional 15% of southbound project traffic on S.R. 86 would also progress south on S.R. 86 and turn right onto W. Legion Road, continue westbound on W. Legion Road, turn right on Willard Avenue, continue northbound on Willard Avenue, and subsequently enter the project site. There is no justifiable reason for this additional 15% of southbound project traffic on S.R. 86 that is allowed to continue traveling south, turn right onto W. Legion Road, and then reverse direction to head north on Willard Avenue to access the project site. It would be logical for this project traffic to turn right onto Julia Drive. Thus, the combined project traffic flow turning right onto Julia Drive from S.R. 86 should be $50\% + 15\% = 65\%$.

Similarly, Figure 5 shows 10% of project traffic flow would leave the project site and travel north on Willard Avenue, turn right onto Julia Drive, continue eastbound on Julia Drive, and subsequently turn left onto S.R. 86. However, Figure 5 shows that a larger 55% of project traffic flow would leave the project site and travel south on Willard Avenue, turn left onto W. Legion Road, continue eastbound on W. Legion Road, and turn left onto S.R. 86 in order to head north. Again, a much shorter distance for this 55% project traffic flow leaving the project site would be provided, if that flow travels north on Willard Avenue, turns right onto Julia Drive, and then turns left onto S.R. 86 in order to head north. Thus, a combined project traffic flow that intends to head north on S.R. 86 via Julia Drive would be $55\% + 10\% = 65\%$. In addition to the shorter route, there is another compelling reason for this travel route change. The change eliminates the need of waiting behind a queue of southbound traffic on Willard Avenue at W. Legion Road. That queue is created for southbound traffic on Willard Avenue that attempts to turn left onto W. Legion Road. The change also eliminates the wait for the additional long queue that exists for eastbound traffic on W. Legion Road that is attempting to turn left onto S.R. 86.

The difference of the traffic on Julia Drive between the project trip distribution patterns assumed by the traffic study, and the more logical project trip distribution patterns recommended by the City, are outlined in the following table for comparison:

Project Traffic Distribution Scenario	Existing Traffic	135 Units (Existing + Project Traffic)	96 Units (Existing + Project Traffic)	72 Units (Existing + Project Traffic)	54 Units (Existing + Project Traffic)	21 Units (Existing + Project Traffic)
Traffic Study	1,225	1,476	1,411	1,370	1,338	1,275
City Recommendation	1,225	1,768	1,629	1,539	1,470	1,332

2. Page 6, Existing Street System

The traffic study stated that Julia Drive is an east/west local road which primarily serves residential homes and has the capacity of 4,500 daily trips at a Level of Service of "C". Based on this street traffic-carrying capacity assumption, Table 3 on page 23 of the traffic study derived the operating traffic level of services for Julia Drive and other study street segments for each of the development density alternatives. Re-outlined in the table below are operating level of services for Julia Drive extracted from Table 3:

Existing Traffic	135 Units (Existing + Project Traffic)	96 Units (Existing + Project Traffic)	72 Units (Existing + Project Traffic)	54 Units (Existing + Project Traffic)	21 Units (Existing + Project Traffic)
A	A	A	A	A	A

The street traffic-carrying capacity of 4,500 daily trips assumed by the traffic study for a 2-lane local residential street is exceedingly high and unreasonable. Further review of the "Traditional Neighborhood Development, Street Design Guidelines" published by the Institute of Transportation Engineers (ITE) indicates that a typical local road has a street traffic-carrying capacity ranging from 1,500 to 1,800 vehicles per day. Utilizing this ITE recommended upper limit street traffic-carrying capacity of 1,800 vehicles per day and the City's recommended project trip distribution patterns, the operating level of services for Julia Drive for various project development density are re-evaluated as follows:

Project Traffic Distribution Scenario	Existing Traffic	135 Units (Existing + Project Traffic)	96 Units (Existing + Project Traffic)	72 Units (Existing + Project Traffic)	54 Units (Existing + Project Traffic)	21 Units (Existing + Project Traffic)
Traffic Study	1225	1768 ✓	1629 ✓	1539 ✓	1470	1332
City Recommendation	0.0681 B	0.982 E	0.905 D to E	0.855 D	0.817 D	0.740 C

Conclusion and Recommendations

The traffic study concluded that the project traffic generated from up to a maximum of 135 condominium units can be accommodated along the study street segments and intersections without creating significant impacts. Thus, the traffic study indicates that the study street segments and intersections should continue to operate at an acceptable "A" and "B" level of service with the addition of project traffic. However, based on traffic evaluation and analysis by City Engineering staff, the study locations, including Julia Drive, can only adequately accommodate up to the first 21 condominium units. Other subsequent development density alternatives would trigger adverse traffic impacts to the study locations and require the constructing Panna Road from Willard Drive to S.R. 86.

Therefore, in view of the findings of City Engineering staff, it is recommended that the project developer deposit a fee of \$5,000 for the City to retain the services of a qualified Traffic Engineer to perform an independent traffic monitoring evaluation of Julia Drive for project assessing, if any, the extent of traffic impacts resulted from the occupancy of the first 21 condominium units. Should any advance traffic impacts occur, the Traffic Engineer would then recommend effective measures to the City that mitigate such impacts. The installation cost of implementing recommended traffic mitigation measures resulting from such independent traffic evaluation shall be fully reimbursed by the project developer.



Arthur Li

EXHIBIT A DEVELOPMENT IMPACT FEE IMPLEMENTATION SCHEDULE

Effective: 4/25/2011

Facility	Residential		Non-Residential	
	Single Family (\$ per unit)	Multi-Family (\$ per unit)	Commercial (\$ per 1,000 BSF)	Industrial (\$ per 1,000 BSF)
General Government Facilities	\$ 180.18	\$ 135.30	\$ 189.09	\$ 48.51
Library Facilities	\$ 281.82	\$ 211.53	\$ N/A	\$ N/A
Parks and Recreation Facilities	\$ 1,096.26	\$ 822.03	\$ N/A	\$ N/A
Airport Facilities	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Police Facilities	\$ 239.25	\$ 179.52	\$ 251.13	\$ 64.35
Fire Facilities	\$ 224.40	\$ 168.30	\$ 235.29	\$ 60.39
Animal Control Facilities	\$ 10.89	\$ 8.25	\$ 11.55	\$ 2.97
Transportation	\$ 1,836.45	\$ 1,285.68	\$ 5,642.34	\$ 938.19
Storm Water Facilities	\$ 93.39	\$ 47.52	\$ 66.99	\$ 53.13
Administration	\$ 16.17	\$ 11.55	\$ 24.75	\$ 4.62
TOTALS	\$ 3,978.81	\$ 2,869.68	\$ 6,421.14	\$ 1,172.16

Effective: 4/25/2013

Facility	Residential		Non-Residential	
	Single Family (\$ per unit)	Multi-Family (\$ per unit)	Commercial (\$ per 1,000 BSF)	Industrial (\$ per 1,000 BSF)
General Government Facilities	\$ 360.36	\$ 270.60	\$ 378.18	\$ 97.02
Library Facilities	\$ 563.64	\$ 423.06	\$ N/A	\$ N/A
Parks and Recreation Facilities	\$ 2,192.52	\$ 1,644.06	\$ N/A	\$ N/A
Airport Facilities	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Police Facilities	\$ 478.50	\$ 359.04	\$ 502.26	\$ 128.70
Fire Facilities	\$ 448.80	\$ 336.60	\$ 470.58	\$ 120.78
Animal Control Facilities	\$ 21.78	\$ 16.50	\$ 23.10	\$ 5.94
Transportation	\$ 3,672.90	\$ 2,571.36	\$ 11,284.68	\$ 1,876.38
Storm Water Facilities	\$ 186.78	\$ 95.04	\$ 133.98	\$ 106.26
Administration	\$ 32.34	\$ 23.10	\$ 49.50	\$ 9.24
TOTALS	\$ 7,957.62	\$ 5,739.36	\$ 12,842.28	\$ 2,344.32

Effective: 4/25/2015

Facility	Residential		Non-Residential	
	Single Family (\$ per unit)	Multi-Family (\$ per unit)	Commercial (\$ per 1,000 BSF)	Industrial (\$ per 1,000 BSF)
General Government Facilities	\$ 546.00	\$ 410.00	\$ 573.00	\$ 147.00
Library Facilities	\$ 854.00	\$ 641.00	\$ N/A	\$ N/A
Parks and Recreation Facilities	\$ 3,322.00	\$ 2,491.00	\$ N/A	\$ N/A
Airport Facilities	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Police Facilities	\$ 725.00	\$ 544.00	\$ 761.00	\$ 195.00
Fire Facilities	\$ 680.00	\$ 510.00	\$ 713.00	\$ 183.00
Animal Control Facilities	\$ 33.00	\$ 25.00	\$ 35.00	\$ 9.00
Transportation	\$ 5,565.00	\$ 3,896.00	\$ 17,098.00	\$ 2,843.00
Storm Water Facilities	\$ 283.00	\$ 144.00	\$ 203.00	\$ 161.00
Administration	\$ 49.00	\$ 35.00	\$ 75.00	\$ 14.00
TOTALS	\$ 12,057.00	\$ 8,696.00	\$ 19,458.00	\$ 3,552.00

EXHIBIT A-1
WASTEWATER CAPACITY FEE IMPLEMENTATION SCHEDULE

Effective: 4/25/2011

Meter Size	Charge Per Unit	Year 1
5/8 - 3/4 inch (residential)	per water meter	\$2,445.60
3/4 inch	per water meter	\$3,686.40
1 inch	per water meter	\$6,144.00
1-1/2 inch	per water meter	\$12,288.00
2 inch	per water meter	\$19,660.80
over 2 inch	per gallon of average day demand	\$8.75

Effective: 4/25/2012

Meter Size	Charge Per Unit	Year 2
5/8 - 3/4 inch (residential)	per water meter	\$3,362.70
3/4 inch	per water meter	\$5,068.80
1 inch	per water meter	\$8,448.00
1-1/2 inch	per water meter	\$16,896.00
2 inch	per water meter	\$27,033.60
over 2 inch	per gallon of average day demand	\$12.03

Effective: 4/25/2013

Meter Size	Charge Per Unit	Year 3
5/8 - 3/4 inch (residential)	per water meter	\$4,279.80
3/4 inch	per water meter	\$6,451.20
1 inch	per water meter	\$10,752.00
1-1/2 inch	per water meter	\$21,504.00
2 inch	per water meter	\$34,406.40
over 2 inch	per gallon of average day demand	\$15.32

Effective: 4/25/2014

Meter Size	Charge Per Unit	Year 4
5/8 - 3/4 inch (residential)	per water meter	\$5,196.90
3/4 inch	per water meter	\$7,833.60
1 inch	per water meter	\$13,056.00
1-1/2 inch	per water meter	\$26,112.00
2 inch	per water meter	\$41,779.20
over 2 inch	per gallon of average day demand	\$18.60

Effective: 4/25/2015

Meter Size	Charge Per Unit	Year 5
5/8 - 3/4 inch (residential)	per water meter	\$6,114.00
3/4 inch	per water meter	\$9,216.00
1 inch	per water meter	\$15,360.00
1-1/2 inch	per water meter	\$30,720.00
2 inch	per water meter	\$49,152.00
over 2 inch	per gallon of average day demand	\$21.88

EXHIBIT A
WATER CAPACITY FEE IMPLEMENTATION SCHEDULE

Effective: 4/25/2011

Meter Size	Charge Per Unit	Year 1
5/8 - 3/4 inch (residential)	per water meter	\$3,014.80
3/4 inch	per water meter	\$4,522.40
1 inch	per water meter	\$7,537.20
1-1/2 inch	per water meter	\$15,074.00
2 inch	per water meter	\$24,118.40
over 2 inch	per gallon of average day demand	\$3.58

Effective: 4/25/2012

Meter Size	Charge Per Unit	Year 2
5/8 - 3/4 inch (residential)	per water meter	\$4,145.35
3/4 inch	per water meter	\$6,218.30
1 inch	per water meter	\$10,363.65
1-1/2 inch	per water meter	\$20,726.75
2 inch	per water meter	\$33,162.80
over 2 inch	per gallon of average day demand	\$4.92

Effective: 4/25/2013

Meter Size	Charge Per Unit	Year 3
5/8 - 3/4 inch (residential)	per water meter	\$5,275.90
3/4 inch	per water meter	\$7,914.20
1 inch	per water meter	\$13,190.10
1-1/2 inch	per water meter	\$26,379.50
2 inch	per water meter	\$42,207.20
over 2 inch	per gallon of average day demand	\$6.27

Effective: 4/25/2014

Meter Size	Charge Per Unit	Year 4
5/8 - 3/4 inch (residential)	per water meter	\$6,406.45
3/4 inch	per water meter	\$9,610.10
1 inch	per water meter	\$16,016.55
1-1/2 inch	per water meter	\$32,032.25
2 inch	per water meter	\$51,251.60
over 2 inch	per gallon of average day demand	\$7.61

Effective: 4/25/2015

Meter Size	Charge Per Unit	Year 5
5/8 - 3/4 inch (residential)	per water meter	\$7,537.00
3/4 inch	per water meter	\$11,306.00
1 inch	per water meter	\$18,843.00
1-1/2 inch	per water meter	\$37,685.00
2 inch	per water meter	\$60,296.00
over 2 inch	per gallon of average day demand	\$8.95



CITY OF BRAWLEY

PLANNING DEPARTMENT
400 MAIN ST. - PLAZA PARK
BRAWLEY, CALIFORNIA 92227
PHONE: (760) 344-8822
FAX: (760) 344-0907

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Brawley Planning Commission and City Council will conduct a public hearing on October 23, 2012, at 5:30 PM, at the City Council Chambers, 383 Main Street, Brawley, California, to consider approving the following projects:

A condition modification for a condominium map and site plan (TM06-04/SP06-07) submitted by Sartan Nahar LLC for property located at 451 Panno Drive, Brawley, California. The property is legally described as Lots 1 and 2, Springhouse at Brawley, City of Brawley, County of Imperial, State of California, APN 048-260-096 & 097. The property is currently zoned R-3 (Residential Medium Density) and consists of 17.67 acres of land. The applicant is requesting to change the conditions of approval allowing for construction of 60 units prior to the completion of Panno Drive to Brawley Avenue (SR 86).

All interested persons and concerned parties are encouraged to attend the hearing. Persons unable to attend may submit written comments to the Planning Department, City of Brawley, 400 Main Street Brawley, California 92227.

Copies of all project documents are available for public review at the Planning Department between the hours of 8 AM to 12 PM and 1 PM to 5 PM, Monday through Friday. Persons with questions should contact Gordon R. Gaste, Planning Director at 760-344-8822 or 760-344-0907 (fax).

STATE OF CALIFORNIA}
COUNTY OF IMPERIAL}

PROOF OF SERVICE BY MAIL

In Re: TM06-04/SP06-07 Florentine (formerly Springhouse) Condominiums

I am a resident of or employed in the aforesaid county; I am over the age of eighteen years and not a party or otherwise interested in the above described project; my business address is:

400 Main Street
Brawley, California

On October 8, 2012, I mailed from Brawley, California the following document:

Notice of Public Hearing on October 23, 2012

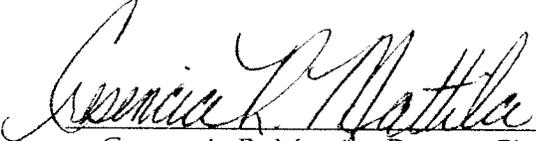
I served the document by enclosing it in an envelope and depositing the sealed envelope with the United States Postal Service with the postage fully prepaid.

The envelopes were addressed and mailed as follows:

SEE ATTACHED LIST

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on October 8, 2012 at Brawley, California.


Cresencia R. Mattila, Deputy City Clerk



CITY OF BRAWLEY
PLANNING DEPARTMENT
APPLICATION

Fee \$ 500.00
Planning Staff Initials <u>PEM/BJ</u>
CITY STAMP
Amount Received \$ 500.00
Finance Initials <u>RW</u>

CHECK ALL THAT APPLY:

PROJECT

- Conditional Use Permit
 - New
 - Extension/Renewal
- Adjustment Plat (Lot Line Adjustment/Lot Merger)
(no additional parcels to be created)
- Certificate of Compliance (required with Adj. Plat)
- Site Plan Review
- Variance
- Rezoning
- General Plan Amendment
- Right-of-Way / Alley Vacation
- Parcel Map Waiver
- Minor Subdivision (4 or fewer parcels to be created)
- Major Subdivision (5 or more parcels to be created)
- Final Map

CEQA STATUS

- Notice of Exemption
(ministerial and categorically exempt)
- Negative Declaration
(requires initial environmental study)
- Environmental Impact Report (EIR)

Other (Please Specify) see description below.

PROPERTY OWNER

ENGINEER / AGENT*

Name: Sartan-Maher LLC

Mailing Address: 77682 Country Club Drive; Ste A3
Palm Desert CA 92211

Phone: 760-200-5989

Fax: 760-200-5947

E-mail: stuart@wesmount-properties.com

Assessor Parcel Number(s): 043-260-076-000/043-250-077

Describe project, purpose/reason for your application, proposed/existing uses on the subject property, and adjacent land uses. Attach separate sheet if necessary.

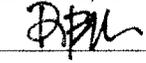
Application is for 1) impact/sewer/water fees/studshill for next 60 units after reimbursement agreement re: Pano Road is executed.
2) increase units for occupancy from 21 to 60 until Pano Road completed.

REQUIRED SUPPORT DOCUMENTS

1. All applicable information requested on the Tentative Map Checklist (Major Subdivisions), Final Map Requirements (Final Maps), or Site Plan Checklist (all projects).
2. Environmental Assessment (completed by applicant or legal representative*).
3. Preliminary Title Report/Deed (for proof of ownership).
4. Application Fee (Planning Department Application Fee Schedule) and a deposit (to be determined by the Planning Director).
5. Copy of current property tax statement.
6. Other items as determined by Staff.

(Developer impact fees and water/sewer capacity fees)

COUNCIL AGENDA REPORT
City of Brawley

Meeting Date: October 23, 2012
City Manager: 

FROM: Prepared by: Francisco Soto, Building Official
Presented by: Francisco Soto, Building Official

SUBJECT: Abandoned Vehicle Abatement (AVA) Fee Program

STAFF RECOMMENDATION: Approve the attached resolution to extend this program as allowed by the California Vehicle Code.

DISCUSSION: Enforcement of abatement of abandoned vehicles in the City of Brawley is performed in the parameters of a Joint Powers Agreement of which the City is a member. The cost of enforcement is paid by a portion of the DMV fees collected in Imperial County. A contractor is used by all the jurisdictions in this agreement. The AVA fee Program sunsets by statute in March of 2013. California Vehicle Code Section 9250.7(h) allows each California County to extend the sunset date for the program in ten year increments.

Imperial County is requesting a resolution from all jurisdictions who are party to in the Joint Powers Agreement to formally request the extension from the DMV. The existing program defrays some of the cost of the documentation and the cost of removal of the vehicle and, thereby, saves City funds.

FISCAL IMPACT:

ATTACHMENTS: Resolution

RESOLUTION 2012-

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRAWLEY
AUTHORIZING THE EXTENSION OF THE ABANDONED VEHICLE
ABATEMENT PROGRAM UNTIL MARCH 31, 2013.**

WHEREAS, The Imperial County Abandoned Vehicle Abatement Program was formed in 2002; and

WHEREAS, Since commencement of operations the Abandoned Vehicle Abatement Program has contributed over \$100,000 each year, which has allowed for the abatement of 3,449 vehicles (removed, repaired or stored properly) throughout Imperial County; and

WHEREAS, the abandoned Vehicle Abatement Program is set to expire on March 31, 2013; and

WHEREAS, 2008 legislation allows for an extension of the program with the approval of the County and a Majority of the Cities comprising a majority of the population of the incorporated areas; and

WHEREAS, is it desirable to the City Council of the City of Brawley to have the program continue;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Brawley hereby requests that the existing Abandoned Vehicle Abatement Program be extended to March 31, 2013, Imperial County pursuant to the provisions of Section 9250.7(h) of the California Vehicle Code.

Passed and adopted at a regular meeting of the City Council of the City of Brawley held on October 16, 2012.

City of Brawley, California

George A. Nava, Mayor

ATTEST:

Janet P. Smith, Deputy City Clerk

**STATE OF CALIFORNIA
COUNTY OF IMPERIAL
CITY OF BRAWLEY**

I, JANET P. SMITH, City Clerk of the City of Brawley, California, DO HEREBY CERTIFY that the foregoing Resolution No. 2012-_____ was passed and adopted by the City Council of the City of Brawley, California, at a regular meeting held on the _____ day of _____, 2012, and that it was so adopted by the following roll call vote: m/s/c

**AYES:
NAYES:
ABSTAIN:
ABSENT:**

DATED:

Janet P. Smith, Deputy City Clerk