

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 of said meeting. The City Clerk attests to the posting of the agenda pursuant to G.C. 54954.

#### CALL TO ORDER/ROLL CALL

The meeting was called to order by Chairman Goyal at 5:30 p.m.

**Present:** Bumbera, Goyal, Hutchinson, Marquez, Sagredo, Smith

**Absent:** Reyes

#### APPROVAL OF AGENDA

Motion: The Planning Commission approves the Agenda as presented. m/s/c  
Bumbera/Marquez 6-0

#### APPROVAL OF MINUTES

Motion: The Planning Commission approves the Minutes of November 28, 2012, as presented. m/s/c  
Smith/Hutchinson 6-0

#### PUBLIC APPEARANCES

Chairman Goyal called for public appearances. There were none.

#### PUBLIC HEARING

Due notice having been given, now is the time to consider an application for a variance (VAR12-03) to allow enclosure of a garage creating living space and to provide two alternative parking spaces to serve an existing single family dwelling in an R-1 (Single Family Residential) zone.

Applicant: Douglas T. Kline, 1071 Calle Estrella, Brawley, CA 92227

Location: 1071 Calle Estrella, Brawley, California more particularly described as Lot 74, Ventana Ranch Unit No. 2, City of Brawley, County of Imperial, State of California, APN048-358-010.

#### Open Public Hearing 5:33 p.m.

Gordon Gaste, Planning Director, explained that Mr. Kline has requested to enclose the garage. He stated that the front set back is ten feet, the driveway could accommodate two required parking spaces if it were widened. Commissioner Smith asked about parking in the driveway. Mr. Gaste replied that parking must be within the required set back from the street. Chairman Goyal asked if there would be space. Mr. Gaste replied that there could be space as shown on the drawing.

Douglas Kline, 1071 Calle Estrella, Brawley, addressed the Commission. Commissioner Smith asked Mr. Kline if he intended to put parking spaces near the front door. He stated that he would, but he would rather get a variance to park in the driveway; everyone in the neighborhood parks in the driveway; he could park on a slab closer to the front door, but it takes away from the look of the house. Commissioner Smith asked if any other similar variances had been granted in the neighborhood. Mr. Gaste replied that there are none. Mr. Kline stated that he has lived there for 20 years. Chairman Goyal asked if he asked for the variance because he needed more living space. Mr. Kline replied that he did. Commissioner Bumbera stated that he took a look at the neighborhood and asked Mr. Kline about trailers and RVs parked nearby. Mr. Kline stated that there are and he believes the owners of those trailers have a place to store them and they are not parked there all the time. Commissioner Bumbera asked about removing a tree to place parking spaces. Mr. Kline replied that he doesn't want his house to look like a parking lot unless he has to. Commissioner Hutchinson asked if the neighbors had been notified. Mr. Gaste replied yes. Commissioner Smith stated that he has not heard any opposition and asked about enforcement of the CCR for that subdivision. Francisco Soto, Building Inspector, explained that the CCRs are enforced by residents using the Civil Court and he explained the City's code enforcement practices as they apply to State and Municipal Codes. Chairman Goyal stated that the neighborhood is beautiful now; he would not like to see it change. Mr. Soto stated that the Municipal Code does not allow for parking in driveways outside of the setbacks. He said the City informs homeowners who want to enclose their garage of the parking requirement; he cannot tell the homeowner they can't just because it looks ugly; if there is a way

to place parking spaces within the setback a variance is not required; Mr. Kline did not like the way it looks, so he applied for a variance. Chairman Goyal called for any questions or comments in opposition. There were none.

Close Public Hearing 5:42 p.m.

Chairman Goyal asked if staff had a recommendation. Mr. Gaste replied there was none. Commissioner Smith moved to approve the application for a variance. Commissioner Hutchinson gave a second.

Motion: The Planning Commission amends the motion to approve the application for a variance to include a requirement to comply with the Conditions of Approval as recommended in the Planning Commission Staff Report. m/s/c Sagredo/Smith 6-0

A discussion ensued about the intent of the motion. Mr. Goyal stated that the motion was to accept the recommendations of the DRC; applicant shall get an encroachment permit from the Department of Public Works; they may request the driveway; he can make the driveway as shown in the drawing. Mr. Gaste stated that the variance is to allow the use of the driveway as the required 2 parking spaces with a 10 foot encroachment to the front yard setback. Commissioner Hutchinson said Mr. Kline doesn't have to do anything unless he adds to the driveway. Chairman Goyal stated that if Mr. Kline decides to install parking to the side, then he needs to go to the permit; if he does not then the motion is to approve that he can just park on the driveway.

Correction to Minutes made on March 27, 2013 as follows:

Motion: The Planning Commission makes findings and determinations consistent with those listed in the Planning Commission Staff Report dated February 6, 2013 and approves the Variance (VAR12-03) to allow an encroachment to the front-yard setback from 10 feet to 0 feet for use as two permanent parking spaces in an R-1 (Single Family Residential) zone subject to compliance with the conditions of approval as stated in the staff report. m/s/c Goyal/Hutchinson 6-0

DISCUSSION

Chairman Goyal stated that he was interested in discussing the collection of Development Impact Fees and he proposed a method to implement escrow accounts. He cited a similar program in another city. A discussion ensued about similar programs; the necessity of changing the collection procedure; the current low Brawley DIF levels and pending increases; the advantages to changing procedures for residential versus commercial projects; the applicability to small versus large projects; the importance of guaranteed collection; and, if seen as beneficial to the developers, the advantages of attracting new development to the city. Commissioner Bumbera requested more study and discussion on the topic. Chairman Goyal agreed that more discussion is needed and requested that the Planning Director provide information to the Commission on the topic.

Commissioner Smith asked about the status of the motel renovation on Main Street. Francisco Soto, Building Official, replied that the work was proceeding in an unusual sequence set by the contractors. He stated that there is presently an issue with the retention basin which must be resolved before certain work can proceed.

City Manager Rosanna Bayon Moore addressed the Commission. She informed the Commissioners that a Planning Commission training session at an Imperial County location can be planned if the Commissioners would be interested in attending. Chairman Goyal stated that he would like to attend and he asked her to proceed with setting up the training.

ADJOURNMENT

Motion: The meeting of the Planning Commission adjourns at 6:14 p.m. The next meeting of the Planning Commission will be held on Wednesday, March 6, 2013, at 5:30 p.m., at the City Council Chambers, 383 Main Street. m/s/c Bumbera/Hutchinson 6-0