



PLANNING COMMISSION

Jay Goyal, Chairman George A. Marquez, Vice-Chairman
Eugene Bumbera Kevan Hutchinson Eric M. Reyes
Ramon M. Sagredo Darren Smith

AGENDA

**PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, JUNE 26, 2013 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 MARCH 27, 2013
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 HEARING

5. An application for a site plan and conditional use permit (SP13-03/CUP13-01) to allow the rebuilding of an existing church and to bring the property up to current zoning standards including obtainment of a conditional use permit allowing a church in an R-1 (Single Family Residential) zone.

Applicant: Tom Paros for
Brawley Kingdom Hall of Jehovah's Witnesses
P.O. Box 1984
El Centro, CA 92244

Location: 325 North Eastern Avenue, Brawley, more particularly described as South 150 feet of the East 125 feet of Lot 4, Block 124, Townsite of Brawley, City of Brawley, County of Imperial, State of California, APN047-302-008

COMMISSION ACTION

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. Individuals who require special accommodations are requested to give 24-hour prior notice.
Contact: Alma Benavides, City Clerk, 760-351-3080

PLANNING COMMISSION STAFF REPORT

Site Plan/Conditional

Use Permit: SP13-03/CUP13-01 - Brawley Kingdom Hall of Jehovah's Witnesses

Property Owner/

Applicant: Brawley Congregation of Jehovah's Witnesses, Inc.

Representative: Tom Paros

Legal Description: South 150 feet of the East 125 feet of Lot 4, Block 124, Townsite of Brawley, City of Brawley, County of Imperial, State of California, APN 047-302-008

Location: 325 North Eastern Avenue

Area: 0.43 Acres (18,750 Square Feet)

Zoning: R-1 (Residential Single Family)

Existing Use: Church

Proposed Use: Same

Surrounding Land Uses:

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

South - M-1 (Light Manufacturing) / Trucking Company

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

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

General Plan Designation: Low Density Residential

CEQA Status: Exempt

**PLANNING COMMISSION HEARING, JUNE 26, 2013,
5:30 P.M., CITY COUNCIL CHAMBERS, 383 MAIN STREET, BRAWLEY,
CALIFORNIA**

Site Plan/Conditional Use Permit: SP13-03/CUP13-01

General Information:

The site plan was submitted to allow for the rebuilding of an existing church and bring the property up to current zoning standards including the obtainment of a conditional use permit. The property is currently zoned R-1 (Residential Single Family) and is 0.43 acres in size. Access is proposed via D Street; 36 parking spaces are provided. There are no zoning conditions currently imposed on this property.

Staff Recommendation:

On June 6, 2013, the Development Review Committee (DRC) recommended approval of this site plan and conditional use 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. The percentage of retention shall be determined by the City Engineer, but shall not increase drainage beyond the current amount draining to the street or alley.
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 proceeding 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 proceeding 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 includes 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 air conditioner shall be screened with fencing or landscaping to protect the view from the public right-of-way.
10. Fences facing the streets shall be either wrought iron, masonry or a combination of the two.

The recommendation is based on the following findings:

1. The proposal is exempt from CEQA pursuant to Section 15302(b) 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 site plan and 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 site plan and conditional use permit are consistent with the General Plan and the character of the area for that type of land use.

Site Plan/Conditional Use Permit: SP13-03/CUP13-01

5. The site plan meets the standards of Section 27.265 of the Brawley Zoning Ordinance.
6. In addition to compliance with all other applicable statutes, ordinances and regulations, Section 27.193 of the Brawley Zoning Ordinance shall apply to churches where they are permitted as a use:
 - a. Landscaping shall be developed and maintained to provide adequate screening of parking areas and in required setbacks.
 - b. All buildings, structures and landscaping shall be, insofar as is practical, harmonious and compatible with the development of surrounding properties.
 - c.. Approval of a church pursuant to this Section does not permit any school, day nursery, kindergarten or any congregation of persons for purposes other than religious instruction, worship or guidance.
 - d. The site plan required by Section 27.270 through 27.299 (Variances and Conditional Use Permits) of this zoning ordinance shall, in addition to other requirements, indicate compliance with the provisions of this section.

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

R-1 (Residential Single Family) zoning permits churches with a **Conditional Use Permit** only.

The Commission must determine the following:

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

ATTACHMENT: Location Maps; Site Plan, Elevations.

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.

