



PLANNING COMMISSION

Jay Goyal, Chairman

Kevan Hutchinson, Vice-Chairman

Eugene Bumbera George A. Marquez

Darren Smith Robert Palacio Ramon Castro

AGENDA

**PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, MARCH 6, 2019 AT 5:30 P.M.
CITY OF BRAWLEY COUNCIL CHAMBERS
383 MAIN STREET
BRAWLEY, CALIFORNIA**

- 1. CALL TO ORDER / ROLL CALL**
- 2. APPROVE AGENDA**
- 3. APPROVE MINUTES OF JANUARY 9 2019**
- 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.** A Parcel Map (PM 19-01) to subdivide one parcel into four parcels to allow for the construction of three additional single family residential units. The property is currently zoned R-2 (Residential Low Density) and is 0.67 Acres in size. The site is currently contains one Single Family Dwelling.

Property Owners:	Rene and Alicia Vega
Representative:	J. Carlos Romero, Proterra
Legal Description:	East 146 Feet of South 200 Feet of Lot 7, Brawley Subdivision 1 OM 1 40, City of Brawley, County of Imperial, State of California APN 047-240-021.

- 6.** A modification of the Conditions of Approval to the Latigo Ranch (TM05-01) major subdivision. The proposed condition modification includes Best Canal remaining an open channel for an unspecified period of time, substitution of a property lien for bonds or a letter of credit and delayed timing of improvements. The property is currently zoned R-1 (Residential Single Family) and is 81.01 acres in size. The site currently contains 18 single family units and vacant land..

Property Owners:	Brawley Investment Ventures, LLC c/o Mark D. McMillin
Applicant/Representative:	Martin D. Coyne

Legal Description:

All Lots of Latigo Ranch Unit #1 and the Remainder Parcel of Latigo Ranch Unit #1 (to become the future Unit #2), City of Brawley, County of Imperial, State of California.

7. INFORMATIONAL REPORTS

*Annual Report Attached.

8. NEXT MEETING DATE

9. ADJOURNMENT

Supporting documents are available for public review in the Community Development Services office, 205 S. Imperial Avenue, 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

CITY OF BRAWLEY
January 7, 2019

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 Goyal** @ 5:34 pm

PRESENT: Palacio, Goyal, Marquez, Smith
ABSENT: Bumbera, Castro, Hutchinson

2. APPROVAL OF AGENDA

The agenda was **approved** as submitted. m/s/c Smith/ Palacio 4-0

Commissioner Smith, added to the record that he was involved in the purchase of property for items 5 & 7 but has not received any compensation in the past 18 month nor will he receive any additional financial gain in the near future.

AYES: Palacio, Goyal, Marquez, Smith
NAYES: None
ABSENT: Bumbera, Castro, Hutchinson
ABSTAIN: None

3. APPROVAL OF MINUTES

The minutes of December 9, 2018 were **approved** during the January 2019 Planning Commission meeting. m/s/c Palacio/Marquez 3-0-1

AYES: Palacio, Goyal, Marquez
NAYES: None
ABSENT: Bumbera, Castro, Hutchinson
ABSTAIN: Smith

4. PUBLIC APPEARANCES

5. PUBLIC HEARING SP 18-03 & CUP 18-05

A site plan (SP 18-03) and conditional use permit (CUP18-05) was requested by the Applicant to allow for a Density Bonus for a proposed apartment complex. The property is currently zoned R-3 (Medium Density Multiple-Family Residential). The site is currently Vacant and 3.78 acres in size.

Property Owners:	AMG & ASSOCIATES LLC c/o Cameron Johnson
Applicant/Representative:	Brawley Pacific Associates III.
Legal Description:	REMAIN PAR OF FM26-83 ALSO BEING POR LOT 37 BRAW SUB 1, CITY OF BRAWLEY, COUNTY OF IMPERIAL, STATE OF CALIFORNIA, APN 047-320-103

Planning Director Gaste gave an overview and background information of the project as presented in the staff report.

Chairman Goyal, asked what the reasoning would be to allow a density bonus.

Planning Director Gaste, explained that we are required by law to provide certain amount of affordable housing. It would be a benefit to the City to allow density bonuses as the City is deficient in affordable housing.

Commissioner Smith, asked if the Density Bonus would require low income housing

Planning Director Gaste, added that the incentive for a density bonus is to require low income housing. Additionally if it a density bonus is denied you have to prove that it would be detrimental to the community. The project would create additional housing and part of the project would include opening up I Street all the way to Main Street/ Highway 78.

Commissioner Smith, asked if a Density Bonus Agreement is allowed by right.

City Manager Bayon Moore, added that the item before the Commission is a discretionary item which the Planning Commission can decline. She added that the term allowed by right refers to something already define in the zoning ordinance as allowed. If a higher density project is being brought forth the allowed by right aspect refers to not being able to deny the project on the basis that it is for low income multifamily housing.

OPEN PUBLIC HEARING @ 5:40PM

Cameron Johnson, informed the Commission that this project would be a unique hybrid net zero project. The complex would run onsite renewable energy. An added part of the project would be reduction of greenhouse gases in the form of bus passes to residents, 30 van pool vehicles within the Imperial County via Cal Vans, and onsite secured bicycle storage. Additionally 2-3 million dollars of awarded funds would be used toward construction of bike lanes/ sidewalks.

City Manager Bayon Moore, added that this is the second project application to apply for these funds. Chelsea Investments previously applied but was denied. If these funds are awarded it would allow the opportunity to fill gaps in infrastructure.

Chairman Goyal, asked how long the Bus Passes would be given to residents, how many per household, and what the fee would be for using the vanpool services?

Cameron Johnson, added that the design for administration of services is not complete. As for the van pool services, it would be free. While the limits to distance for the service is not set it will most likely be within the Imperial County

PUBLIC HEARING CLOSED @ 5:51PM

The Commission **approved** the conditional use permit as proposed. m/s/c Palacio/Marquez 4-0

AYES: Palacio, Goyal, Marquez, Smith

NAYES: None

ABSENT: Bumbera, Castro, Hutchinson

ABSTAIN: None

6. PUBLIC HEARING CUP 18-04

The Applicant requested a conditional use permit (CUP-04) to allow for a Density Bonus for apartments located in an existing downtown building. The property is currently zoned Civic Center Main Street. The site is currently a vacant building under construction and is 0.34 acres in size

Property Owners: Robert Obrien & Elizabeth Machado,
Applicant/Representative: Tony Machado
Legal Description: LOTS 20 TO 23 INCL BLK 78 EXC W 6 IN OF LOT 23
TOWNSITE OF BRAWLEY, CITY OF BRAWLEY, COUNTY
OF IMPERIAL, STATE OF CALIFORNIA, APN 049-023-
002

Planning Director Gaste gave an overview and background information of the project as presented in the staff report.

OPEN PUBLIC HEARING @ 5:53PM

Commissioner Palacio, asked if there was going to be a business on the bottom?

Robert Obrien, added that the Adult Care Facility, Day Out, would be on the bottom. Additionally there are three store fronts.

Commissioner Smith, asked if there would be access from the back, and if there would be security lighting for safety.

Tony Machado, added that there would be security lighting for residents through the back. Access to the residence would be via fob access.

PUBLIC HEARING CLOSED @ 6:02

The Commission **approved** the conditional use permit as proposed. m/s/c Palacio/Marquez 4-0

AYES: Palacio, Goyal, Marquez, Smith
NAYES: None
ABSENT: Bumbera, Castro, Hutchinson
ABSTAIN: None

7. PUBLIC HEARING VAR 18-02 & SP 18-02

The applicant is requesting a variance (VAR 18-02) and site plan (SP 18-02) in order to permit a Church. A variance is required in order to allow for reduced onsite parking facilities. The property is currently zoned C-2 (Medium Commercial).

Property Owners: Calvary Kaleo, Inc
Applicant/Representative: GS Lyon Consultants
Legal Description: Lots 5 6 & 7 Block 81, Townsite of Brawley OM 1 15,
City of Brawley, County of Imperial, State of
California, APN 047-272-010

Planning Director Gaste gave an overview and background information of the project as presented in the staff report.

OPEN PUBLIC HEARING @ 6:08PM

Jeff Lyon, GS Lyon Consultants, informed the Commissioners that the project as proposed would not be able to fit all the parking onsite. He also mentioned Pastor Shane Herman has been in contact with the majority of the surrounding business owners who did not express concerns for parking issues as they would functioned on off

hours. Additionally Mr. Lyon measured available parking spaces in the surrounding area outside the residential areas and there was approximately 35 parking spaces.

Commissioner Smith, asked Pastor Herman how large his congregation is, where they currently are located, and what their hours of operation.

Pastor Shane Herman, Cavalry Kaleo, informed the Commission that they have a congregation of approximately 30 adults and 15 children. They have been worshiping out of the Teen Center for 9 years on Sundays at 9: A.M. and do not have a midweek service. They intend on having a midweek service after 6:30 PM and would only have 2-3 cars throughout the week during business hours.

PUBLIC HEARING CLOSED @ 6:13PM

The Commission **approved** the conditional use permit as proposed. m/s/c Palacio/Marquez 4-0

AYES: Palacio, Goyal, Marquez, Smith

NAYES: None

ABSENT: Bumbera, Castro, Hutchinson

ABSTAIN: None

8. ZONING AND CODE ENFORCEMENT

9. ADJOURNED TO February 20, 2019.

10. ADJOURNMENT @ 6:21 pm

Gordon R. Gaste AICP CEP, Development Services Director

PLANNING COMMISSION STAFF REPORT

Minor Subdivision: PM 19-01 Parcel Map 1549 C Street

Property Owners/

Applicants: Rene and Alicia Vega

Representative: J. Carlos Romero, ProTerra

Legal Description: East 146 Feet of South 200 Feet of Lot 7, Brawley Subdivision 1 OM 1 40, City of Brawley, County of Imperial, State of California APN 047-240-021

Location: 1549 C Street

Area: Total: 0.67 Acres (29200 Square Feet)
Parcel 1: 0.17 Acres (7,500 Square Feet)
Parcel 2: 0.17 Acres (7,500 Square Feet)
Parcel 3: 0.17 Acres (7,500 Square Feet)
Parcel 4: 0.17 Acres (7,500 Square Feet)

Zoning: R-2 (Residential Low Density)

Existing Use: Parcel 1: Vacant
Parcel 2: Single Family Dwelling
Parcel 3: Vacant
Parcel 4: Vacant

Proposed Use: Parcel 1: Single Family Dwelling
Parcel 2: Single Family Dwelling
Parcel 3: Single Family Dwelling
Parcel 4: Single Family Dwelling

Surrounding Land Uses:

North - R-2/ (Residential Low Density) / Single Family Dwellings
South - R-3/ (Residential Medium Density) / Apartments
East - R-2/ (Residential Low Density) / Agricultural Equipment
West- R-2/ (Residential Low Density) / Single Family Dwellings

General Plan Designation: Low Density Residential

CEQA Status: Exempt

**PLANNING COMMISSION MEETING, ,
5:30 P.M., CITY COUNCIL CHAMBERS, 383 MAIN STREET,
BRAWLEY, CALIFORNIA**

Minor Subdivision: PM 19-01

General Information:

The Parcel Map was submitted in order to permit 3 additional single family dwellings. The property is currently zoned R-2 (Residential Low Density). The site is currently one single family dwelling and vacant land and is 0.67 acres in size. The proposed parcel map shows to subdivide one parcel into four parcels to allow for the construction of three additional single family residential units.. Access is proposed via C Street. There are no zoning conditions currently imposed on this property.

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 15303, 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 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 **Low Density Residential** land uses.

R-2 (Residential Low Density) zoning permits Single Family Dwellings by **Right**.

Minor Subdivision: PM 19-01

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; complies with any special standards applicable to the particular type of development being proposed, or to the particular area in which the development is proposed; complies with any special approvals required in connection with such development or area.
- C. The proposed Parcel Map 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 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 is compatible with adjacent structures and uses.
- H. The Parcel Map is not materially detrimental to the enjoyment or valuation of the property adjacent to the site.

ATTACHMENT: Location Maps; Tentative Parcel Map.

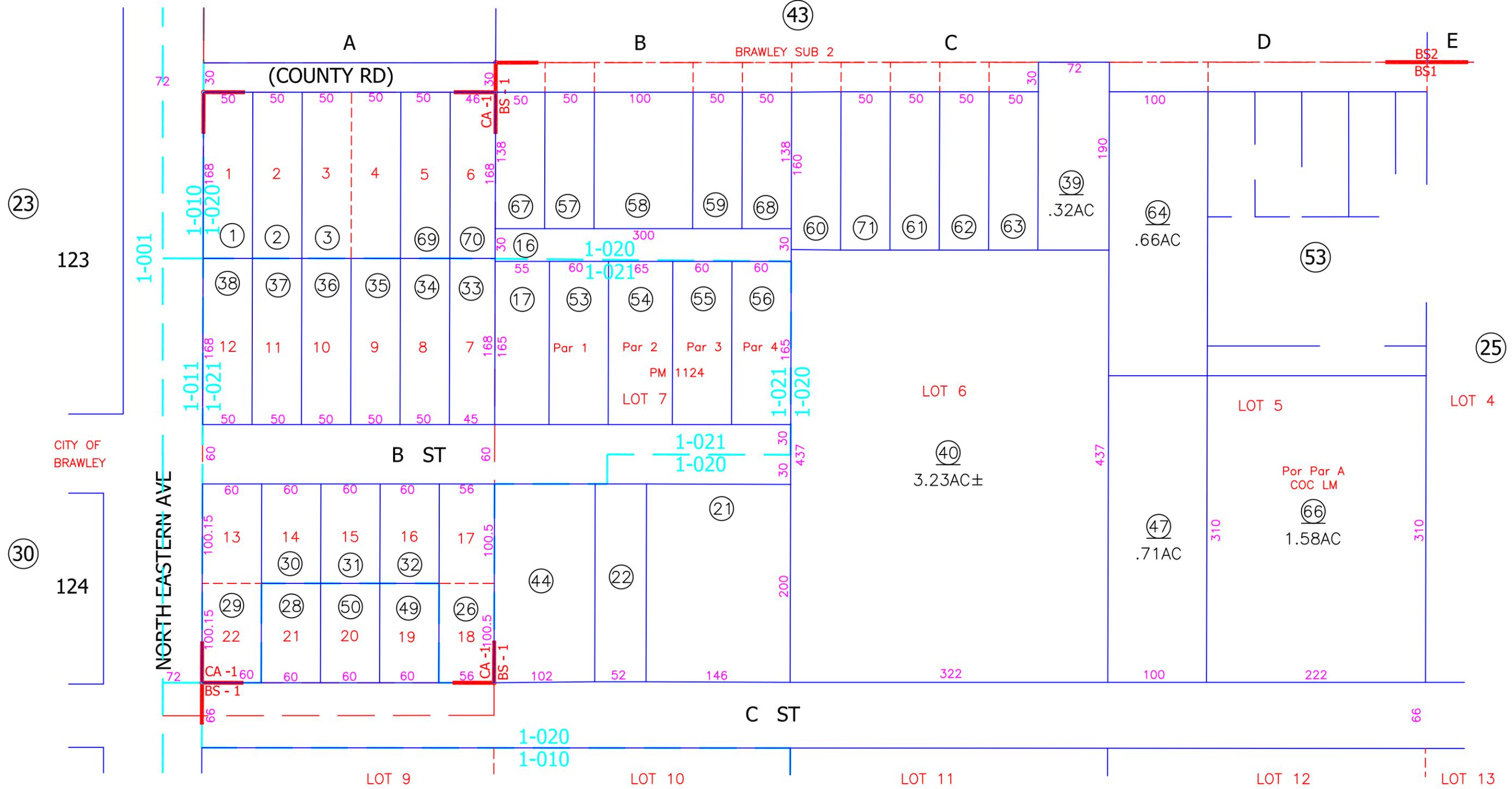
NOTE TO THE PROPERTY OWNER: PLANNING COMMISSION POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE PLANNING DEPARTMENT AT (760) 344-8822.

POR. BRAWLEY SUB.1 & COLEGROVE ADD. 1

OM 1-40 T13S, R14E OM 6-6

Tax Area Code
1-020
1-021

47-24



(23)

123

(30)

124

(25)

(48)

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)

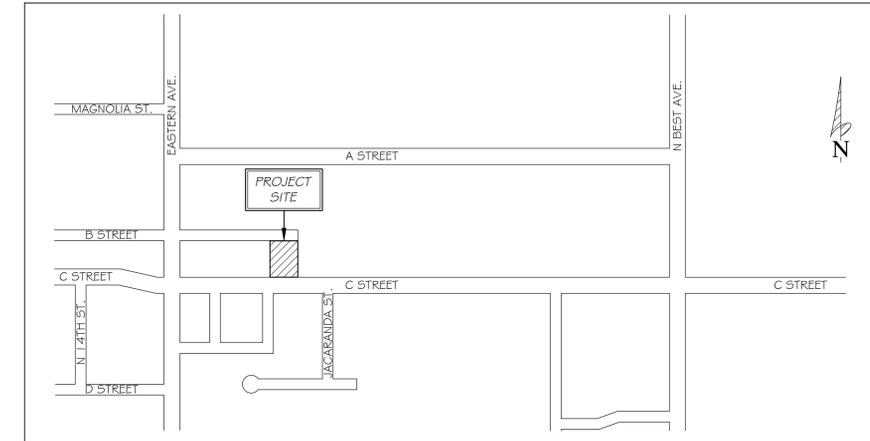
4-24-06 LC
12-27-05 RM
10-11-04 AR
11-12-91 DP
10-14-87 RM
7-9-84 RM
12-28-18 MF
6-27-13 MF
4-8-09 MF
7-31-08 MF
7-22-08 MF



CITY OF BRAWLEY
Assessor's Map Bk.47-Pg.24
County of Imperial, Calif.

TENTATIVE PARCEL MAP

MINOR SUBDIVISION OF ASSESSOR'S PARCEL NUMBER
047-240-021 INTO FOUR NEW PARCELS



VICINITY LOCATION MAP
NOT TO SCALE

PROJECT INFORMATION

ASSESSOR'S PARCEL NUMBER (APN): 047 - 240 - 021
PROJECT SITE ADDRESS & LOCATION: 1549 'C' STREET, BRAWLEY, CA 92227
PROPERTY OWNER (S): RENE VEGA AND ALICIA VEGA

EXISTING LEGAL DESCRIPTION:

THAT PORTION OF BLOCK 7, BRAWLEY SUBDIVISION NO. 1, IN THE CITY OF BRAWLEY, COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF No. 56 ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF IMPERIAL COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID BLOCK 7; THENCE NORTH, ALONG THE EAST LINE THEREOF 200 FEET; THENCE WEST PARALLEL WITH THE SOUTH LINE THEREOF 146 FEET, THENCE SOUTH PARALLEL WITH THE EAST LINE THEREOF 200 FEET; THENCE EAST ALONG THE SOUTH LINE THEREOF 146 FEET TO THE POINT OF BEGINNING.

ACCORDING TO PRELIMINARY TITLE REPORT 11/28/18 PREPARED BY CHICAGO TITLE COMPANY (PTR 7101816704-5B)

EXISTING ZONING: R2 - RESIDENTIAL LOW DENSITY

PROPOSING ZONING: R2 - RESIDENTIAL LOW DENSITY

EXISTING "PARCEL A" DIMENSIONS & AREAS

- PARCEL A = 29,200 S.F. (0.67 AC) / 146 LF x 200 LF

PROPOSED DIMENSIONS & AREAS OF 4 NEW PARCELS

- PARCEL 1: 7,300 S.F. (0.17 AC) / 73 LF x 100 LF
- PARCEL 2: 7,300 S.F. (0.17 AC) / 73 LF x 100 LF
- PARCEL 3: 7,300 S.F. (0.17 AC) / 73 LF x 100 LF
- PARCEL 4: 7,300 S.F. (0.17 AC) / 73 LF x 100 LF

TOTAL = 29,200 S.F. (0.67 AC)

GENERAL REQUIREMENTS

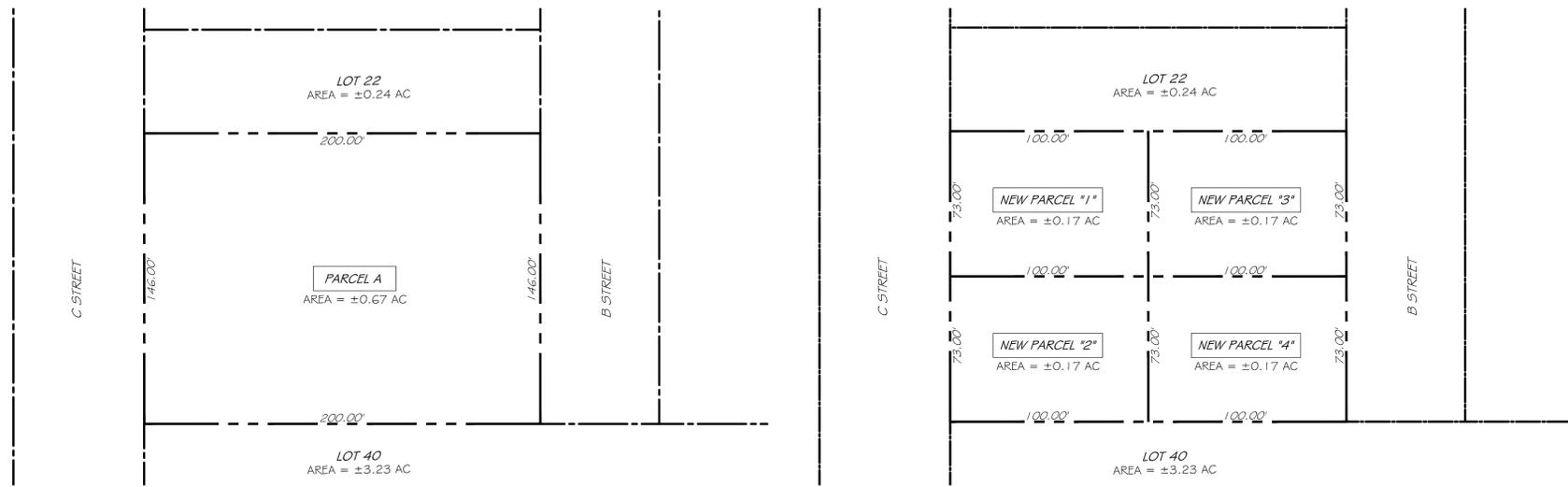
- 1) CONTINGENT UPON PARCEL MAP APPROVAL AND RECORDATION EACH OF THE NEW 4 PARCELS CREATED WILL REQUIRE A SEPARATE SITE PLAN REVIEW PROCESS PRIOR TO THEIR DEVELOPMENT
- 2) EACH OF THE NEW 4 PARCELS WILL REQUIRE SEPARATE UTILITY SERVICES (WATER / SEWER / POWER / GAS / ETC.)

LEGEND / EXISTING FEATURES

	PROJECT BOUNDARY (APPROXIMATE LOCATION)		EXISTING HOUSE
	RIGHT OF WAY (APPROXIMATE LOCATION)		POWER POLE (PP NUMBER)
	PRIVATE UTILITY EASEMENT		OVERHEAD ELECTRICAL POWER LINE
	3 PROJECT BENCHMARK		WATER MAIN LINE
	FLOW LINE ELEVATIONS		WATER SERVICE METER BOX
	TOP OF CURB ELEVATIONS		FIRE HYDRANT
	NATURAL SURFACE ELEVATIONS		SEWER MAIN LINE
	SURFACE WATER FLOW DIRECTION		WOOD FENCE
	AC PAVEMENT		CHAIN LINK FENCE
			WIRE FENCE
			BLOCK WALL

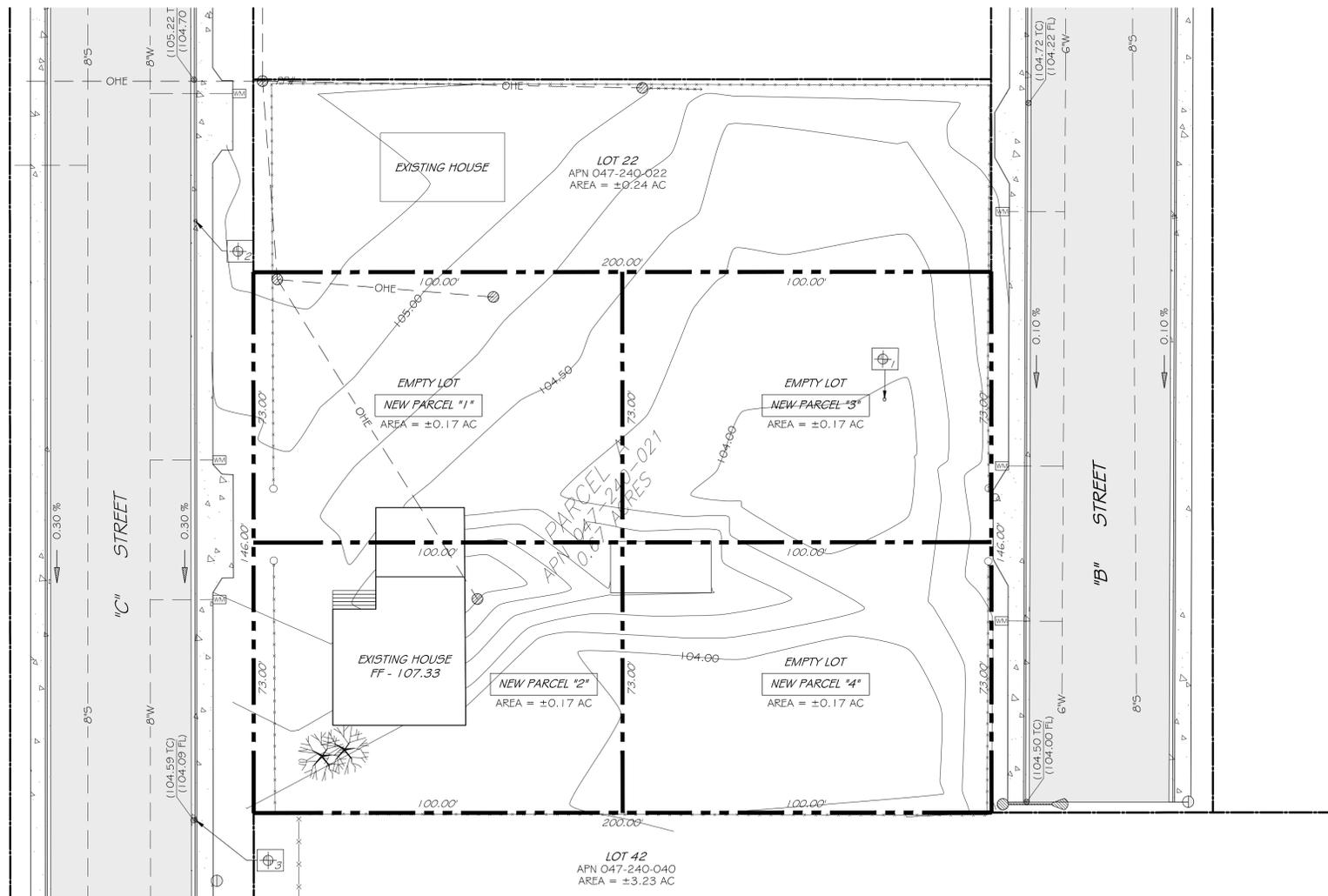
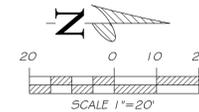
EASEMENT INFORMATION

- 1) THERE ARE NO EASEMENTS OF RECORD ALONG OR ACROSS THE EXISTING PARCEL A.
- 2) THERE ARE NO PROPOSED NEW EASEMENTS ALONG OR ACROSS THE NEW 4 PARCELS BEING CREATED.



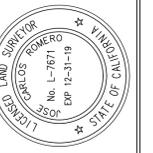
EXISTING LOT LINES
SCALE 1"=40'

PROPOSED LOT LINES
SCALE 1"=40'



SITE PLAN
SCALE 1"=20'

NO.	DESCRIPTION	DATE	BY
PREPARED BY:			01/18/19
PREPARED BY:			DATE
APPROVED FOR THE CITY OF BRAWLEY BY:			DATE
SIGNATURE / NAME:			DATE
OWNER: RENE VEGA & ALICIA VEGA			
ADDRESS: 56 WEST CORRAL ROAD WEBER, CA 92244			
TELEPHONE: 760-1960-6105 / RENE VEGA			
PROJECT DESCRIPTION: TENTATIVE PARCEL MAP			
MINOR SUBDIVISION OF APN 047-240-021 INTO FOUR NEW PARCELS			
DRAWING DESCRIPTION: TENTATIVE PARCEL MAP			
LOCATION: 1549 'C' STREET, BRAWLEY, CA 92227			
PROJECT NO. 18048			
SHEET:			
1/1			
DRAWN BY: MD 01/04/19			
LAST REVISED			
DATE: JCR 01/18/19			



**PLANNING COMMISSION
STAFF REPORT**
City of Brawley

Meeting Date: March 6, 2019
City Manager: _____

PREPARED BY: Rosanna Bayon Moore, City Manager
Gordon R. Gaste, AICP CEP, Development Services Director
Guillermo Sillas, PE, Public Works Director

PRESENTED BY: Rosanna Bayon Moore, City Manager
Gordon R. Gaste, AICP CEP, Development Services Director
Guillermo Sillas, PE, Public Works Director

SUBJECT: Latigo Ranch Conditions of Approval Modification

STAFF RECOMMENDATION: Amend Conditions of Approval Nos. 17, 23, 24 and 25. Approve relief of a total of \$2,118,000 in developer expenses, provided that Wildcat Dr. is improved to City standards, including undergrounding of the Best Canal.

DISCUSSION: The Latigo Ranch Tentative Tract Map was approved by the City on June 10, 2005. The Tentative Tract consists of two units and a total of 268 single family residential (SFR) lots.

The Final Map for Unit #1 was recorded on November 22, 2005 with the associated improvement plans and bonds in place. Unit #1 contains a total of 113 SFR lots and is generally located in the northern half of the Latigo Ranch subdivision. A total of 18 SFR units are already constructed and occupied; 95 SFR units are yet to be constructed.

The previous developer, McMillin Homes, did not complete the required offsite improvements for Unit #1. Offsite improvements for Unit #1 yet to be completed include:

- A portion of Western Avenue
- A portion of South Imperial Avenue
- Landscaping of the retention basin
- Wildcat Drive from South Western Avenue to South Imperial Avenue

Per the Final Map, Wildcat Drive improvements include the undergrounding of the Best Canal and development of a greenbelt adjacent to Wildcat Drive.

Unit #2 is currently entitled through November 30, 2019 and contains 155 units. No final map or improvement plans have been submitted to date for Unit #2.

Brawley Investment Ventures, LLC, is currently in escrow and proposing to resume development activities within the Latigo Ranch Subdivision, subject to relief from certain conditions. As such, a public hearing to consider modifying the Conditions of Approval has been scheduled before the City of Brawley Planning Commission. Once the Planning Commission holds the public hearing and takes action to recommend approval or denial of the developer's requests, the Brawley City Council will also hold a public hearing and take final action to approve or deny changes to the Conditions of Approval.

The City of Brawley Public Works Director/City Engineer, Development Services Director and City Manager have met extensively with the applicant to explore reasonable changes to the project approach over several months. Staff have approached the topic with pragmatism and assembled a package, subject to City Council approval that offsets the developer's financial responsibilities by more than \$2M. Revisit of the conditions will provide the applicant with the clarity needed to make a final decision regarding the purchase of the remaining lots in Units #1 and #2.

The following Conditions of Approval are proposed for modification *with staff's concurrence*:

Condition No.	Topic	Request	Staff Comments	Staff Recommendation
17	Quimby Fees	Waive fees.	At the time of entitlement, retention basin parks were accepted as dedicated land.	Eliminate.
23	BESD School Site	Approve SFR development alternative in lieu of school site.	BESD has proceeded with an alternative preferred site.	Eliminate and proceed with SFR overlay alternative.
24	Fire Station	Approve SFR development alternative in lieu of fire station.	City has proceeded with an alternative preferred site.	Eliminate and proceed with SFR overlay alternative.
25	S. Imperial Avenue	Eliminate fair share contributions for railroad crossing,	Project on the east side of South Imperial Avenue is no longer entitled.	Eliminate.

The developer is also requesting the following modifications to the Conditions of Approval *with staff's recommendation to deny*:

Topic	Request	Staff Comments	Staff Recommendation
Building Permits	Immediately release building permits for next 95 lots in Unit #1 with no further offsite improvements.	Once developer constructs nearly all of the lots in Unit #1, there is no incentive to install offsite improvements if the development is never completed.	Deny.
Security for Improvements	Use Unit #2 as security for improvements associated with Unit #1 in lieu of bonds or a letter of credit.	City is not in the real estate business. Conventional security best enables the agency to complete improvements if necessary.	Deny.

Topic	Request	Staff Comments	Staff Recommendation
Best Canal	<p>Relieve developer of responsibility to underground the Best Canal.</p> <p>Assume IID will program future funding.</p> <p>Move eastbound lanes south of the existing channel.</p>	<p>Atypical of development pathway, sets precedent and incentivizes relief requests from other developers.</p> <p>Unreasonable timing delay is inconsistent with development abutting the property on the north side and full width improvements of Wildcat Drive.</p> <p>Conveys responsibility to a third party by diverting responsibility to IID / City which has yet to dedicate and program actual funding.</p> <p>Diminishes purpose of City initiated project on first segment of Wildcat Drive.</p> <p>Because IID requires access to own facilities for maintenance and repair, openings for access are a necessity.</p> <p>Existing channel poses a danger and risk to traffic, pedestrians, children, bicyclists and growing residential population.</p>	Deny.
South Western Avenue	Delay improvement until issuance of Certificates of Occupancy for lots 260-272 of Unit #2.	Once developer constructs nearly all of the lots in Unit #2, there is no incentive to install offsite improvements if this development is never completed.	Deny.

Topic	Request	Staff Comments	Staff Recommendation
Legion Street	Delay improvement from Branding Iron Drive to the western subdivision boundary until issuance of Certificates of Occupancy for lots 252 to 259 of Unit #2.	Once developer constructs nearly all of the lots in Unit #2, there is no incentive to install offsite improvements if this development is never completed.	Deny.
South Imperial Avenue	Delay improvement adjacent to the subdivision to concurrent with Wildcat Drive but no later than the final 6 Certificates of Occupancy for Unit #1.	Once developer constructs nearly all of the lots in Unit #1, there is no incentive to install offsite improvements if this development is never completed.	Deny.

ADDITIONAL INCENTIVES OFFERED TO DEVELOPER

Wildcat Drive

The existing temporary access road to Latigo Ranch is inadequate in its current form and it only allows for travel one way into and out of the subdivision. The City recognizes the importance of the east-west circulation that Wildcat Drive provides. Latigo Ranch’s Conditions of Approval, as well as those of the abutting Victoria Ranch and Malan Park, are consistent with the City’s General Plan Circulation Element which defines complete improvement of Wildcat Drive as a minor arterial.

With the goal of achieving greater connectivity, the City of Brawley has undertaken an effort to improve a portion of Wildcat Drive. The City successfully competed for and was awarded a Congestion Mitigation & Air Quality (CMAQ) Program grant to construct a segment of Wildcat Drive. The segment includes the southern half of Wildcat Drive from the existing barricades east of Walmart to South 1st Street. The segment will connect Latigo Ranch to the west of the subdivision.

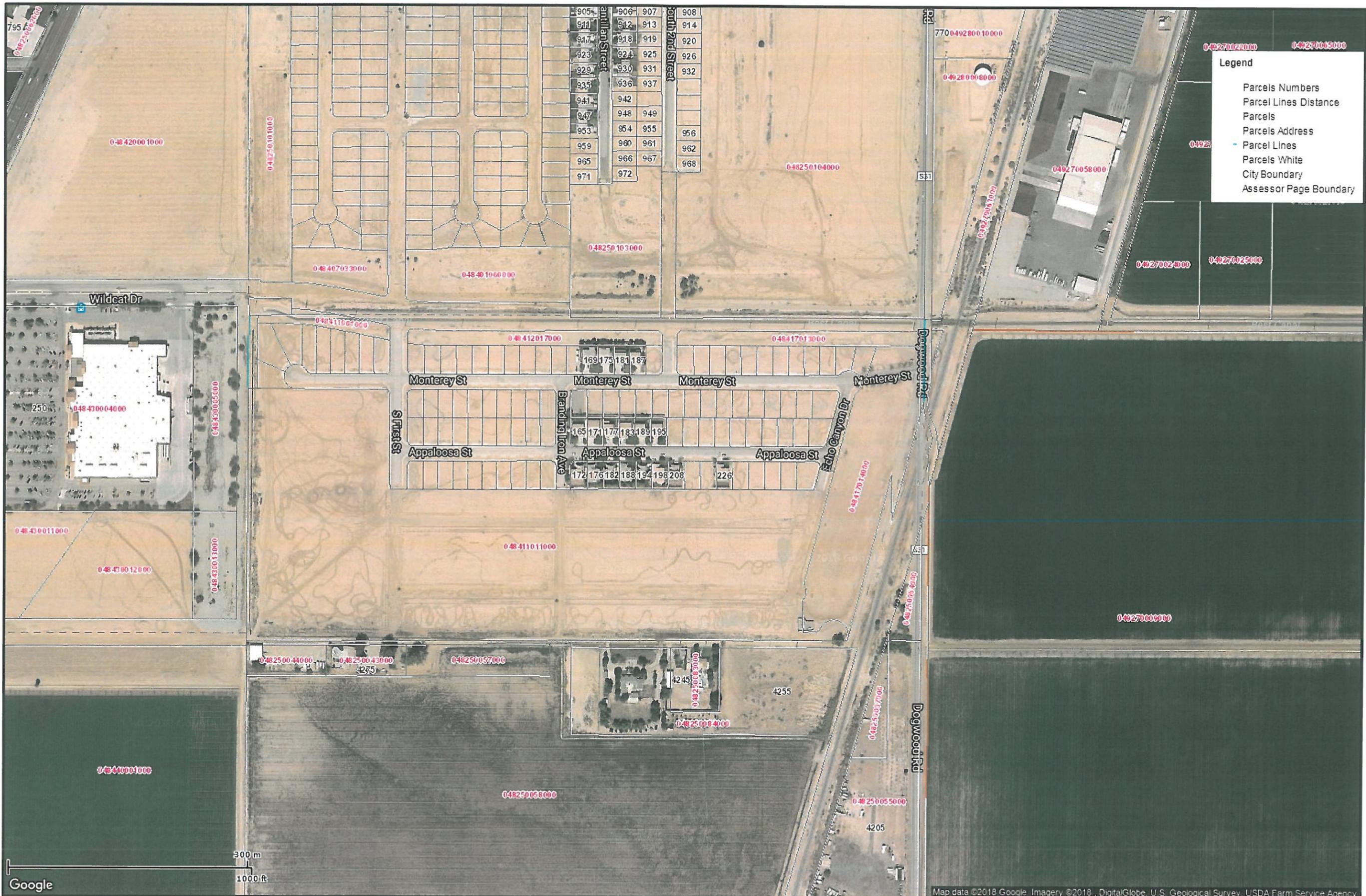
The City’s \$1.7M design and construction project consists of an \$892,000 CMAQ grant and a local match of \$116,000. Undergrounding of IID facilities is also involved at an estimated cost of \$660,000 in local funds. Completion of the referenced project is expected in 2020 at a total cost of \$1,668,000. The above referenced improvements comprise work that would otherwise be borne by the developer of the subdivision per the Conditions of Approval.

City staff is proposing to relieve Brawley Investment Ventures, LLC of \$1,668,000 in reimbursement obligation to the City to assist with accomplishing circulation improvements. Furthermore, due to the regional significance of Wildcat Drive in its final improved configuration, City staff is also proposing to waive the streets portion of the City’s assessed development impact fee, a significant sum at \$1,800 per residential unit for 250 units or a total of \$450,000.

In total, City staff is proposing to offset a total of \$2,118,000 in developer expenses, \$1,226,000 of which represent scarce local funds.

ATTACHMENTS: Latigo Ranch Conditions of Approval 2005, Latigo Ranch Tentative Tract Map, Latigo Ranch Unit #1 Final Map, Developer's Request Package.

Latigo Ranch Project Location Maps



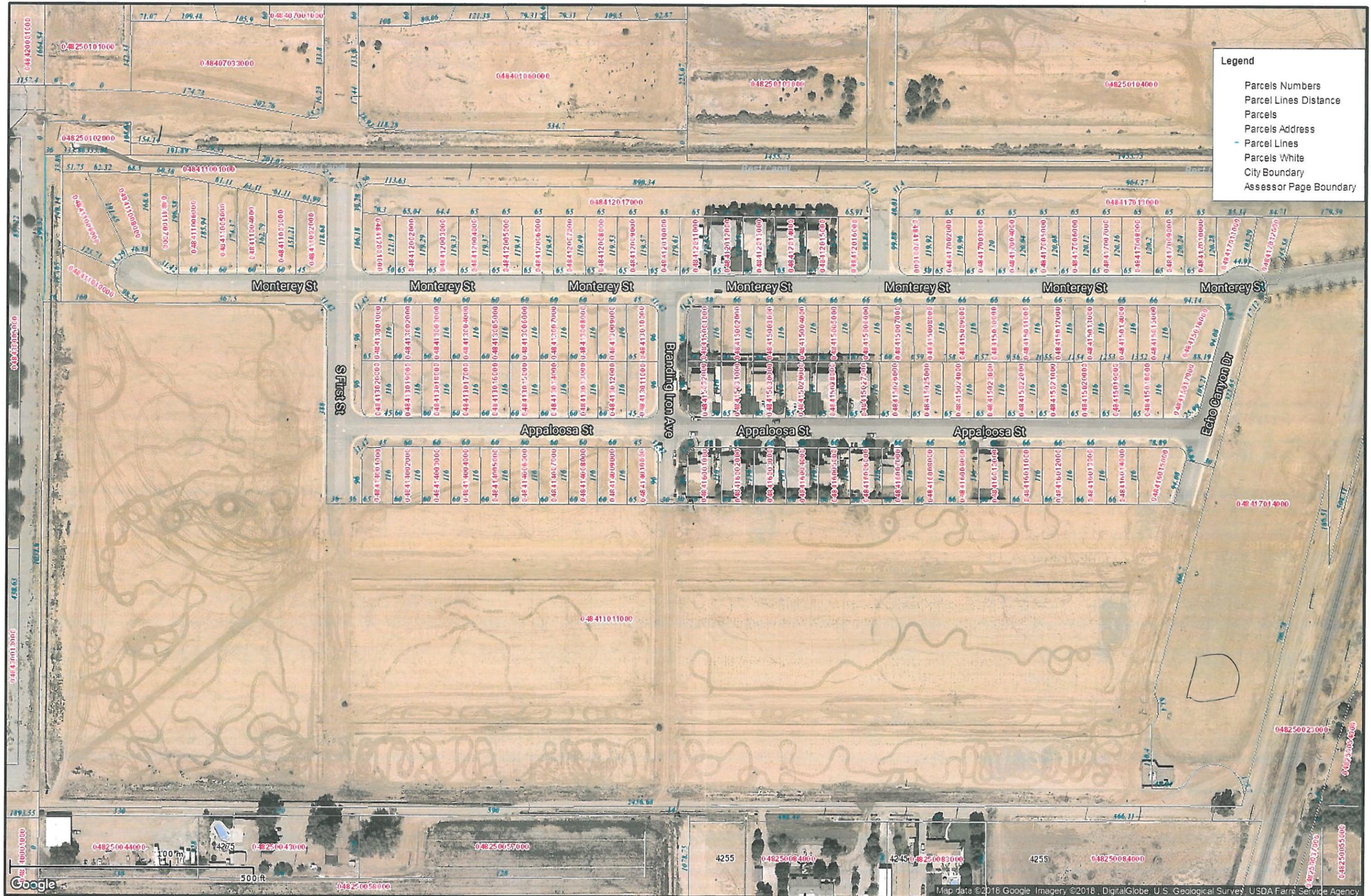
Legend

- Parcels Numbers
- Parcel Lines Distance
- Parcels
- Parcels Address
- Parcel Lines
- Parcels White
- City Boundary
- Assessor Page Boundary

905	906	907	908
911	912	913	914
917	918	919	920
923	924	925	926
929	930	931	932
935	936	937	
941	942		
947	948	949	
953	954	955	956
959	960	961	962
965	966	967	968
971	972		

300 m
1000 ft

Google



Legend

- Parcels Numbers
- Parcel Lines Distance
- Parcels
- Parcels Address
- Parcel Lines
- Parcels White
- City Boundary
- Assessor Page Boundary

Latigo Ranch Conditions of Approval 2005

Conditions of Approval
Latigo Ranch Subdivision –
TM05-01 (Tentative Tract Map) [Major Subdivision]/ZC05-01
(Zone Change)/GPA05-01 (General Plan Amendment)

Portion of Tract 114 and 115, Township 14 South, Range 14 East, City of Brawley,
County of Imperial, State of California

City Council approval of the Tentative Tract Map (Major Subdivision), Zone Change, and General Plan Amendment is subject to compliance with the following conditions:

1. The Developer shall comply with all local, state & federal laws, rules, regulations, ordinances, resolutions and standards applicable to this Project, whether specified herein or not. Where conflicts occur, the most stringent requirements as interpreted by the City shall apply.
2. 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.
3. 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 insure 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.
4. Offer for dedication all rights of way, easements or parcels of land required for the improvements of streets, underground pipelines, and utilities.
5. 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.
6. 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.
7. Stop signs, stop bars and legend, shall be provided at locations determined by the City Engineer.
8. All private drainage and all private facilities, which are installed, operated, and maintained within Imperial Irrigation District right of way, require an IID encroachment permit.
9. Developer shall provide the Project's electrical load calculations to the Imperial Irrigation District Power Department in order to determine the electrical power facilities needed and their cost.
10. Developer shall provide to the Project, underground utility services such as: natural gas, telephone and cable television in coordination with the corresponding utility company.
11. 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, table A-III-B-I. Installation of fire hydrants shall be prior to construction of each respective phase of the development.
12. Project must comply with local, state and federal storm drainage discharge permits regulations.
13. Provide adequate drainage to prevent runoff into agricultural land and subsequent erosion of soils.
14. 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.
15. Implementation of Best Management Practices and a Storm Water Pollution Prevention Plan to prevent soil erosion and polluted runoff.

Tentative Tract Map/Zone Change/General Plan Amendment: TM05-01/ZC05-01/GPA05-01

16. 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.
17. Quimby fees will be calculated using the appraised or purchase price to be provided by the Developer.
18. The east half of Western Avenue shall be constructed to half-width (36 feet) from Panno Street to Legion Street.
19. The north half to Legion Street shall be constructed to the standards of a Secondary Arterial from Western Avenue to the Park/Retention Basin.
20. The south half of Panno Avenue shall be constructed to the standards of a Major Arterial (including medians) from Western Avenue to Dogwood Road (Imperial Avenue).
21. The west half of Dogwood Road (Imperial Avenue) shall be constructed to the standards of a Secondary Arterial from Panno Street to the Union Pacific Railroad.
22. A Community Facilities District (CFD) shall be formed to maintain the lighting and landscaping prior to recordation of the final map.
23. An elementary school site may need to be provided per the Brawley Elementary School District. An overlay has been provided for such a provision.
24. A fire station site may need to be provided per the Fire Chief. An overlay has been provided for such a provision.
25. The developer shall contribute a fair share to the Panno Street railroad crossing.
26. The developer shall contribute a fair share to the upgrade/rehabilitation of Lift Station #1.
27. Subdivider shall pay fees to record and process the tentative map and related environmental documents.
28. Subdivider shall adhere to all mitigation measures in the Mitigated Negative Declaration.
29. 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.

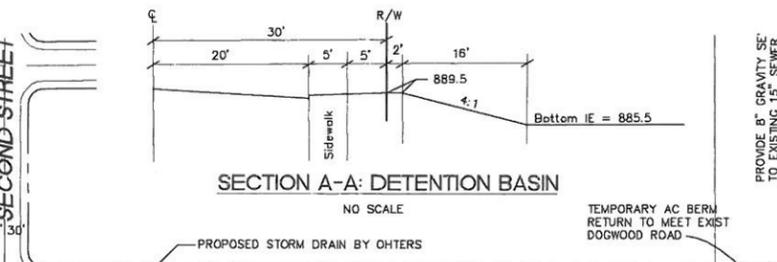
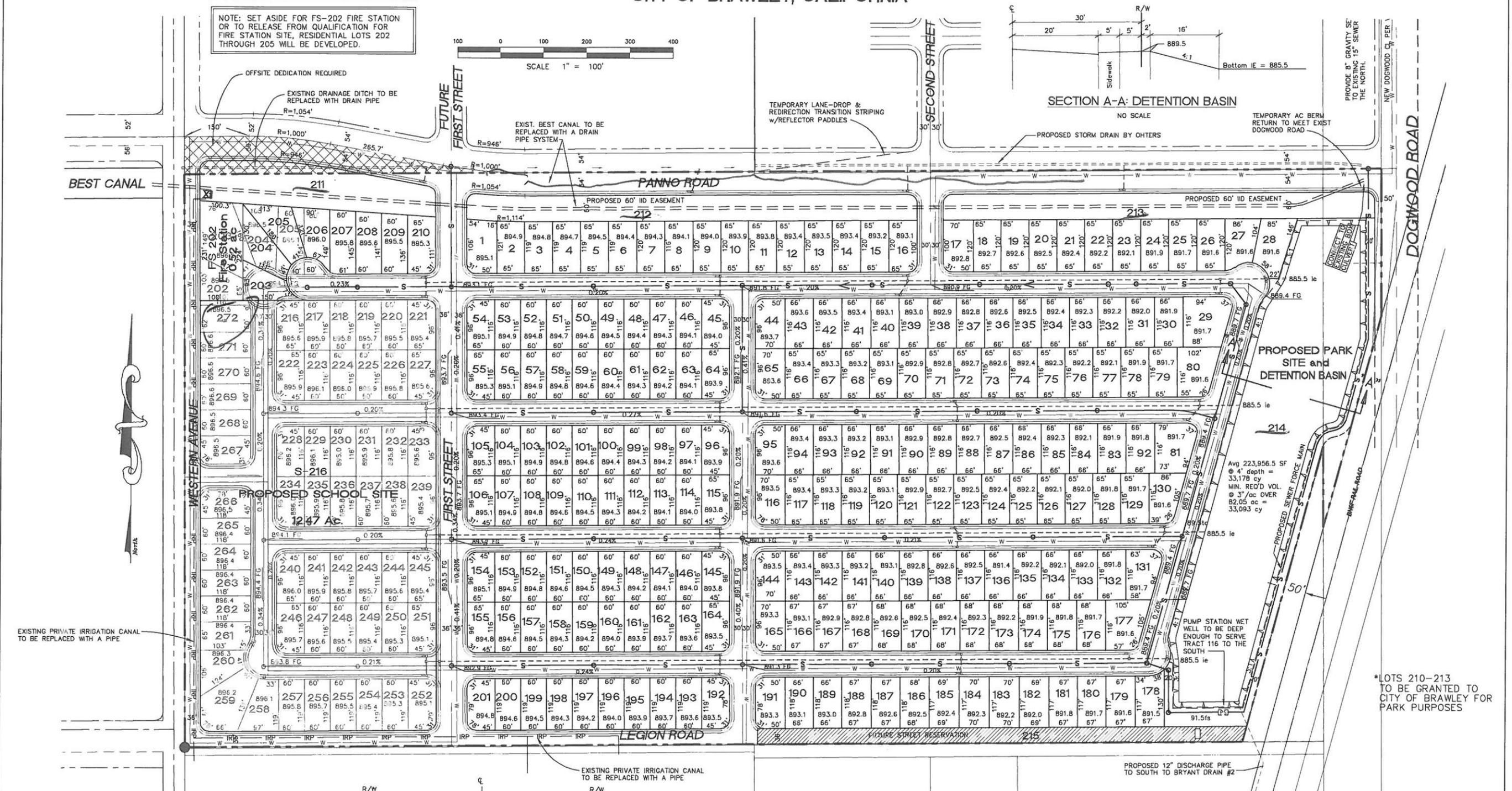
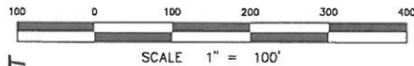
Latigo Ranch Tentative Tract Map

McMILLIN LATIGO RANCH, TRACT 05-01

CITY OF BRAWLEY, CALIFORNIA

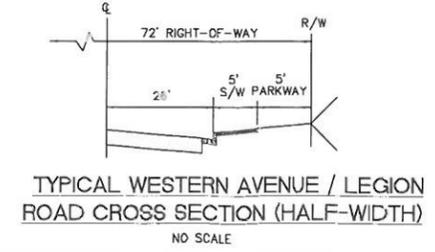
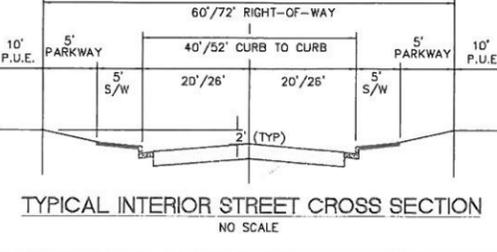
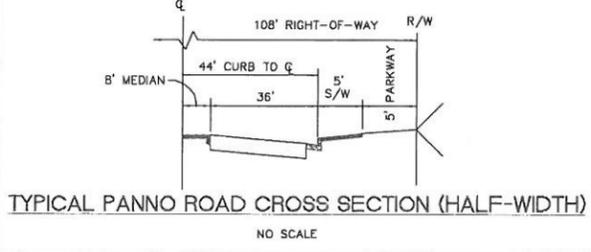
NOTE: SET ASIDE FOR S-216 SCHOOL OR TO RELEASE FROM QUALIFICATION FOR SCHOOL SITE BY THE STATE, RESIDENTIAL LOTS 216 THROUGH 272 WILL BE DEVELOPED.

NOTE: SET ASIDE FOR FS-202 FIRE STATION OR TO RELEASE FROM QUALIFICATION FOR FIRE STATION SITE, RESIDENTIAL LOTS 202 THROUGH 205 WILL BE DEVELOPED.



Avg 223,956.5 SF
 @ 4' depth =
 33,178 cy
 MIN. REQ'D VOL.
 @ 3' ac OVER
 82.05 ac =
 33,093 cy

* LOTS 210-213 TO BE GRANTED TO CITY OF BRAWLEY FOR PARK PURPOSES



LEGEND

- PRIVATE IRRIGATION PIPELINE — IRP — IRP
- STORM DRAIN — — — — —
- WATER MAIN — — — — —
- SEWER — — — — —
- OFFSITE DEDICATION [Hatched Box]

ROBERT C. HAYNES R.C.E. 25593
 R.C.E. EXPIRATION DATE: 12/31/05

NASLAND ENGINEERING
 4740 RUFFNER STREET
 SAN DIEGO, CA 92111
 (858) 292-7770

REVISION			DATE			BY		
ORIGINAL			10/25/04	RJR		DESIGNED BY:	ROBERT J. REINER	
TM SUBMITTAL PLOT			01/03/05	NE		DRAWN BY:	ROBERT J. REINER	
ADD SCHOOL SITE			04/05/05	NE		SCALE:	AS SHOWN	
						PROJECT ENGR:	BOB HAYNES	
						SCALE:	AS SHOWN	
						JOB NO.:	104-111.2	

Latigo Ranch Unit #1 Final Map

McMILLIN LATIGO RANCH

UNIT No. 1

IN THE COUNTY OF IMPERIAL, STATE OF CALIFORNIA BEING A SUBDIVISION OF A PORTION OF TRACT 114; PORTIONS OF LOT 10 AND LOT 17, SECTION 4; ALL IN TOWNSHIP 14 SOUTH, RANGE 14 EAST, S.B.B. & M., IN THE CITY OF BRAWLEY, COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

LEGAL DESCRIPTION:

TRACT 114, TOWNSHIP 14 SOUTH, RANGE 14 EAST, S.B.B. & M., IN THE CITY OF BRAWLEY, COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPTING THEREFROM THE NORTH 80 ACRES THEREOF.

ALSO EXCEPTING THEREFROM ANY PORTION LYING SOUTH AND EAST OF THE WESTERLY RIGHT OF WAY LINE OF THE SOUTHERN PACIFIC RAILWAY COMPANY'S RIGHT OF WAY AS LOCATED ACROSS SAID PROPERTY ON JANUARY 29, 1943.

TOGETHER WITH THAT PORTION OF LOT 10, SECTION 4, TOWNSHIP 14 SOUTH, RANGE 14 EAST, S.B.B. & M., IN THE CITY OF BRAWLEY, COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, LYING SOUTH OF THE SOUTHERLY LINE OF TRACT 115, PRODUCED EASTERLY.

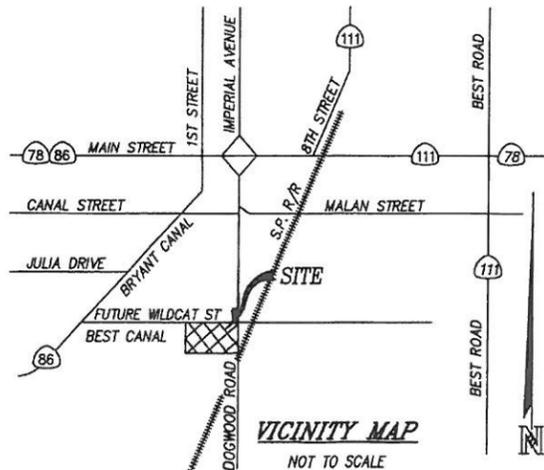
ALSO TOGETHER WITH LOT 17, SECTION 4, TOWNSHIP 14 SOUTH, RANGE 14 SOUTH, S.B.B. & M., IN THE CITY OF BRAWLEY, COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPTING THEREFROM ANY PORTION LYING SOUTH AND EAST OF THE WESTERLY RIGHT OF WAY LINE OF THE SOUTHERN PACIFIC RAILWAY COMPANY'S RIGHT OF WAY AS LOCATED ACROSS SAID PROPERTY ON JANUARY 29, 1943.

SIGNATURE OMISSION STATEMENT:

THE SIGNATURE OF THE FOLLOWING HOLDERS OF EASEMENTS HAS BEEN OMITTED UNDER THE PROVISIONS OF SECTION 66436 SUBSECTION (c) (3) (A) (I) OF THE SUBDIVISION MAP ACT, THEIR INTEREST IS SUCH THAT IT CANNOT RIPEN INTO A FEE TITLE AND SAID SIGNATURE IS NOT REQUIRED BY THE GOVERNING BODY.

- 1. THE UNITED STATES OF AMERICA, HOLDER OF A RIGHT OF WAY FOR DITCHES AND CANALS AS RESERVED IN THE PATENT RECORDED DECEMBER 12, 1912 IN BOOK 5 OF PATENTS, PAGE 66.
2. THE UNITED STATES OF AMERICA, HOLDER OF A RIGHT OF WAY FOR DITCHES AND CANALS AS RESERVED IN THE PATENT RECORDED DECEMBER 5, 1917 IN BOOK 8 OF PATENTS, PAGE 310.
3. THE UNITED STATES OF AMERICA, HOLDER OF A RIGHT OF WAY FOR DITCHES AND CANALS AS RESERVED BY IN THE PATENT RECORDED JANUARY 10, 1918 IN BOOK 8 OF PATENTS, PAGE 425.
4. THE IMPERIAL IRRIGATION DISTRICT, HOLDER OF AN EASEMENT FOR POWER LINE AND INCIDENTAL PURPOSES, RECORDED APRIL 28, 1938 AS INSTRUMENT NO. 34 IN BOOK 491, PAGE 236 OF OFFICIAL RECORDS.
5. THE COUNTY OF IMPERIAL, HOLDER OF AN EASEMENT FOR PUBLIC HIGHWAY AND INCIDENTAL PURPOSES, RECORDED JULY 29, 1958 AS INSTRUMENT NO. 87 IN BOOK 997, PAGE 47 OF OFFICIAL RECORDS.
6. THE COUNTY OF IMPERIAL, HOLDER OF AN EASEMENT FOR PUBLIC HIGHWAY AND INCIDENTAL PURPOSES, RECORDED JULY 29, 1958 AS INSTRUMENT NO. 38 IN BOOK 997, PAGE 48 OF OFFICIAL RECORDS.
7. THE IMPERIAL IRRIGATION DISTRICT, HOLDER OF AN EASEMENT FOR A CANAL OR CANALS, OPEN AND/OR UNDERGROUND, TELEPHONE AND/OR ELECTRIC POWER LINE OR LINES AND INCIDENTAL PURPOSES, RECORDED JANUARY 25, 1961 AS INSTRUMENT NO. 47 IN BOOK 1068, PAGE 695 OF OFFICIAL RECORDS.



OWNER'S CERTIFICATE:

WE HEREBY CERTIFY THAT WE ARE THE ONLY PARTIES HAVING ANY RECORD TITLE INTEREST IN THE LAND SUBDIVIDED AS SHOWN IN THIS MAP AND WE CONSENT TO PREPARATION AND RECORDATION OF THIS FINAL MAP; THAT WE OFFER FOR DEDICATION TO PUBLIC USE ANY STREETS, HIGHWAYS AND OTHER PUBLICWAYS AND EASEMENTS SHOWN UPON SAID MAP AND BEING WITHIN SAID SUBDIVISION.

McMILLIN LATIGO RANCH, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY

BY: [Signatures] DATE: SEPT 27 2005
TITLE: Senior Vice President Vice President

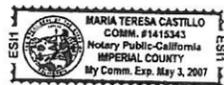
NOTARY ACKNOWLEDGMENTS:

STATE OF CALIFORNIA)
COUNTY OF IMPERIAL)

ON September 27, 2005 BEFORE ME, Maria Teresa Castillo, Notary Public, personally appeared, Jim Pedgar, Gray Arnold, personally known to me (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/HE/ SHE/ THEY EXECUTED THE SAME IN HIS/HER/ THEIR AUTHORIZED CAPACITY(IES) AND THAT BY HIS/HER/ THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

WITNESS MY HAND.

SIGNATURE: Maria Teresa Castillo
MY COMMISSION EXPIRES ON May 3, 2007.
PRINCIPAL PLACE OF BUSINESS IN Imperial COUNTY.



TITLE COMPANY CERTIFICATE:

I HEREBY CERTIFY THAT THE PERSONS SPECIFIED IN THE CERTIFICATE HEREON ARE THE OWNERS AND THE ONLY ONES WHOSE CONSENT IS NECESSARY TO PASS CLEAR TITLE.

FIRST AMERICAN TITLE

[Signature]
KIM CARSON
TITLE OFFICER

SUPPORTING DOCUMENTS:

THE FOLLOWING DOCUMENTS WERE RECORDED CONCURRENTLY WITH THIS FINAL MAP AS OFFICIAL RECORDS OF THE COUNTY OF IMPERIAL IN SUPPORT OF THIS FINAL MAP.

- TITLE: Tax Certificate, BOOK: , AT PAGE: , DOCUMENT NO.: 2005-047130
TITLE: Tax Certificate, BOOK: , AT PAGE: , DOCUMENT NO.: 2005-047130
TITLE: Subdivision Guarantee, BOOK: , AT PAGE: , DOCUMENT NO.: 2005-047131
TITLE: Subdivian Agreement, BOOK: , AT PAGE: , DOCUMENT NO.: 2005-47132
TITLE: , BOOK: , AT PAGE: , DOCUMENT NO.:
TITLE: , BOOK: , AT PAGE: , DOCUMENT NO.:
TITLE: , BOOK: , AT PAGE: , DOCUMENT NO.:
TITLE: , BOOK: , AT PAGE: , DOCUMENT NO.:

PUBLIC UTILITY EASEMENTS:

PUBLIC UTILITY EASEMENTS SHOWN HEREON ARE PROVIDED FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF FACILITIES FOR ELECTRICAL POWER, TELEPHONE AND CABLE TELEVISION BY LOCAL UTILITIES AND COMPANIES PROVIDING SUCH SERVICES TO THE AREA; AND FOR CONSTRUCTION OF PUBLIC HANDICAP RAMPS; AND FOR THE CONVEYANCE OF STORM WATER.

SOILS REPORT:

A SOILS REPORT APPLICABLE TO THE LAND INCLUDED WITHIN THIS PROJECT HAS BEEN PREPARED BY LANDMARK CONSULTANTS, INC., DATED JUNE 11, 2004, PREPARED BY STEVEN K. WILLIAMS, REGISTERED ENGINEERING GEOLOGIST No. 2261 & JEFFREY O. LYON, REGISTERED PROFESSIONAL ENGINEER No. 31921, PROJECT No. 104-111.3 REPORT No. LE04127. A COPY OF SAID REPORT BEING ON FILE IN THE OFFICE OF THE CITY ENGINEER.



LAND SURVEYOR'S CERTIFICATE:

I, D.K. NASLAND, HEREBY STATE THAT I AM A REGISTERED LAND SURVEYOR OF THE STATE OF CALIFORNIA; THAT THIS MAP, CONSISTING OF 8 SHEETS, CORRECTLY REPRESENTS A SURVEY MADE UNDER MY DIRECTION ON MAY 20, 2004 AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF McMILLIN LATIGO RANCH L.L.C., ON MAY 20, 2004; AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP; AND THAT SUCH SURVEY IS TRUE AND CORRECT AS SHOWN; AND THAT THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED (OR THAT THEY WILL BE SET IN SUCH POSITION WITHIN SUCH TIME AS INDICATED ON THE ATTACHED SHEETS); AND THAT SAID MONUMENTS ARE OR WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACTED.

12 / 9-26-2005
D.K. NASLAND, LS 5562 DATE
EXPIRATION DATE: 09/30/2007



CITY SURVEYOR'S STATEMENT:

I, HARRISON P. BARTON, ACTING CITY SURVEYOR FOR THE CITY OF BRAWLEY HEREBY STATE THAT I HAVE EXAMINED THIS MAP CONSISTING OF 8 SHEETS; THAT THE SUBDIVISION SHOWN HERewith IS SUBSTANTIALLY AS IT APPEARED ON THE TENTATIVE MAP AS APPROVED ON JUNE 7, 2005; THAT ALL OF THE PROVISIONS OF LOCAL ORDINANCES APPLICABLE WHEN THE TENTATIVE MAP WAS APPROVED AND ALL OF THE REQUIREMENTS OF CHAPTER 2, ARTICLE 2 OF THE SUBDIVISION MAP ACT AS AMENDED JANUARY 1, 2005 HAVE BEEN COMPLIED WITH; AND THAT I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT.

[Signature] 10-19-2005
HARRISON P. BARTON, PLS 3597
ACTING CITY SURVEYOR
EXPIRATION DATE: 09/30/2006



PLANNING DIRECTOR'S STATEMENT:

I, GORDON GASTE, DIRECTOR OF PLANNING FOR THE CITY OF BRAWLEY, HEREBY STATE THAT THIS FINAL MAP, CONSISTING OF 8 SHEETS, CONFORMS WITH THE TENTATIVE MAP AND THE CONDITIONS RELATED THERETO AS APPROVED BY THE PLANNING COMMISSION AT A REGULAR MEETING HELD ON THE 22nd DAY OF May, 2005.

[Signature]
GORDON GASTE, PLANNING DIRECTOR
CITY OF BRAWLEY

CITY CLERK'S CERTIFICATE:

I, JANET P. SMITH, CLERK OF THE CITY COUNCIL OF THE CITY OF BRAWLEY, HEREBY STATE THAT THE CITY COUNCIL IN AND FOR THE CITY OF BRAWLEY, COUNTY OF IMPERIAL, STATE OF CALIFORNIA, HAVE APPROVED THIS FINAL MAP, CONSISTING OF 8 SHEETS, AS THE OFFICIAL MAP OF McMILLIN LATIGO RANCH, FOR SUBDIVIDING PURPOSES IN ACCORDANCE WITH THE APPROVAL OF THE TENTATIVE MAP THEREOF AND HAS ACCEPTED ON BEHALF OF THE PUBLIC, THE OFFER(S) FOR DEDICATION OF PUBLIC ROADS AND PUBLIC UTILITY EASEMENTS, AS SHOWN ON THIS MAP.

[Signature] 11-01-05
JANET P. SMITH DATE
CITY CLERK

COUNTY RECORDER'S CERTIFICATE:

I, DOLORES PROVENCIO, COUNTY RECORDER OF THE COUNTY OF IMPERIAL, STATE OF CALIFORNIA, HEREBY CERTIFY THAT I HAVE ACCEPTED FOR FILING THIS MAP, CONSISTING OF 8 SHEETS, FILED AT THE REQUEST OF NASLAND ENGINEERING ON THE 22nd DAY OF November, 2005 AT 3:29 O'CLOCK P.M., IN BOOK 24 AT PAGES 8 OF FINAL MAPS.

[Signature]
DOLORES PROVENCIO
COUNTY RECORDER
FEE: \$21.00 BY: B. De La Rosa

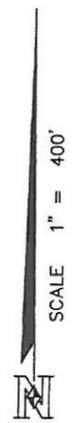


PROCEDURE OF SURVEY McMILLIN LATIGO RANCH

UNIT 1

LEGEND

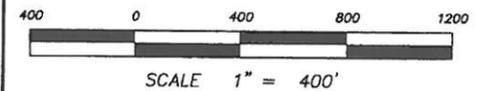
- INDICATES FOUND MONUMENT AS NOTED.
- INDICATES SET 2" X 24" IRON PIPE WITH DISC STAMPED "LS 5562".
- ▲ INDICATES SET STREET SURVEY CONTROL WELL MONUMENT WITH BRASS TAG STAMPED "LS 5562".
- ◉ INDICATES SEARCHED FOR MONUMENT, FOUND NOTHING
- () INDICATES RECORD DATA PER FM 23/24
- [] INDICATES RECORD DATA PER PM 8/51-53
- < > INDICATES RECORD DATA PER PM 10/30-32
- { } INDICATES RECORD DATA PER GLO PLAT
- (()) INDICATES RECORD DATA AS INDICATED
- INDICATES SUBDIVISION BOUNDARY
- ||||| INDICATES NO ACCESS FROM RIGHT OF WAY
- (RAD) INDICATES RADIAL BEARING
- # INDICATES SHEET NUMBER
- P.U.E. 10' PUBLIC UTILITY EASEMENT GRANTED HEREON
- S.B.L. INDICATES BUILDING SET-BACK LINE



GLO PLAT OF RESURVEY T 14 S,
R 14 E, S.B.M.
APPROVED DECEMBER 22, 1908
TRACT 113

BASIS OF BEARINGS

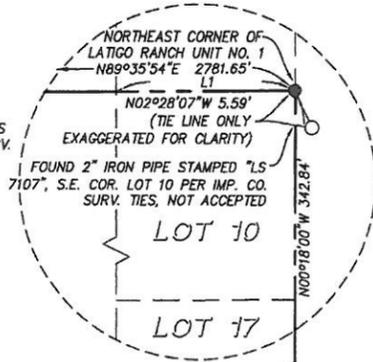
THE BASIS OF BEARINGS FOR THIS SURVEY IS THE WESTERLY LINE OF TRACT 116 ACCORDING TO FINAL MAP 23-24.
I.E. N 00°22'01" W



NOTES

1. LOT NUMBERS ARE 1 THROUGH 105 AND 202 THROUGH 214
2. TOTAL NUMBER OF LOTS IS 117
3. TOTAL GROSS AREA IS 81.013 ACRES
4. ALL DISTANCES AND/OR STREET WIDTHS SHOWN WITHOUT DECIMALS REPRESENT THAT DISTANCE TO THE ZERO HUNDREDTH.
5. UNLESS OTHERWISE SHOWN ON THIS MAP: (A) FRONT LOT CORNERS AND POINTS OF CURVE ALONG THE SIDELINES OF DEDICATED STREETS WILL BE MONUMENTED WITH A DISC MARKED "LS 5562" SET IN SIDEWALK AT AN OFFSET OF 7.00 FEET FROM THE PROPERTY LINE, ALONG AN EXTENSION OF THE LOT LINE OR RADIAL TO THE CURVE POINT. WHERE LOT LINES ARE NOT AT RIGHT ANGLES OR RADIAL, THE OFFSET COURSE AND DISTANCE WILL BE SHOWN. (B) REAR LOT CORNERS WILL BE MONUMENTED WITH A 3/4" IRON PIPE AND DISC MARKED "LS 5562". (C) CORNERS WILL BE SET WITHIN 90 DAYS OF COMPLETION OF PUBLIC IMPROVEMENTS, EXCEPT OCCUPANCY OF BUILDINGS AND/OR STRUCTURES WILL NOT BE ALLOWED ON LOTS WITHOUT CORNERS SET FOR THAT LOT. (D) STREET CENTERLINE MONUMENTS WILL BE SET AS SHOWN HEREON. (E) WILL SET 2" X 24" IRON PIPE WITH DISC MARKED "LS 5562" AT ALL ANGLE POINTS AND/OR POINTS OF CURVATURE ON UNIT BOUNDARY.

NO.	BEARING	LENGTH
L1	N89°35'54"E	135.62'
L2	N89°33'52"E	189.46'

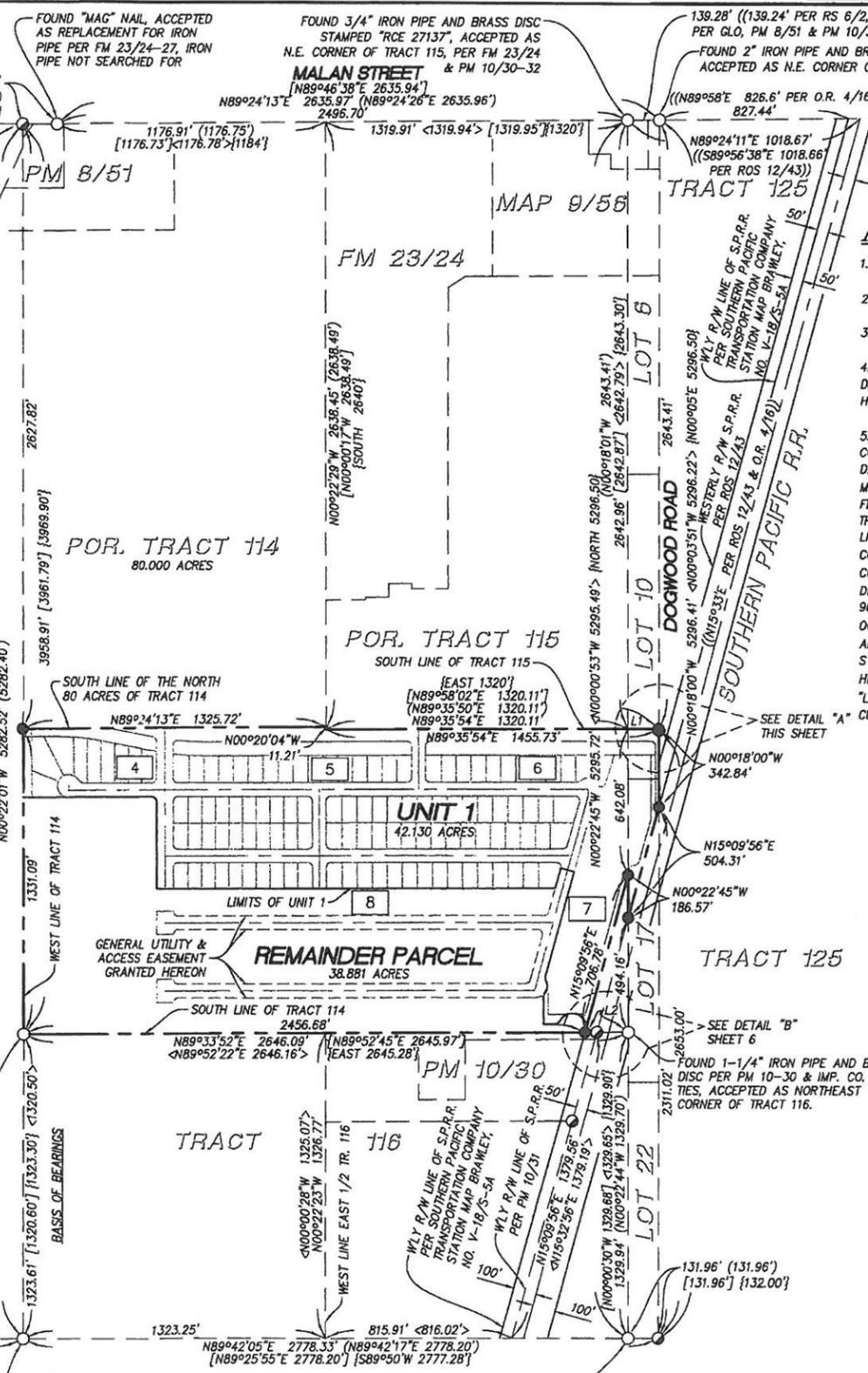


NASLAND ENGINEERING
CIVIL ENGINEERING • SURVEYING • LAND PLANNING
4740 Rutner Street, San Diego, California, 92111 • 609-282-7770

SOUTHWEST CORNER OF TR 113
FOUND 1-1/2" IRON PIPE AND BRASS DISC STAMPED "IMP COUNTY SURV.", PER FM 23/24 AND IMP. CO. SURVEY TIES, REPLACING CONCRETE MONUMENT PER RS 4/1, RS 6/2 AND PM 8151

ROCKWOOD CANAL
N89°42'20"E 2646.25'
(N89°42'17"E 2646.21') (N89°55'45"W 2646.50')
(N89°55'25"E 2646.23') (S89°50'E 2646.28')

FOUND 1-1/2" IRON PIPE AND BRASS DISC STAMPED "IMP COUNTY SURV.", ACCEPTED AS S.W. CORNER OF TRACT 116, PER FM 23/24, REPLACING 1-1/4" IRON PIPE AND TAG STAMPED "RCE 27137" PER PM 10/30-32



NOT TO SCALE

1 5 6 5 5

McMILLIN LATIGO RANCH

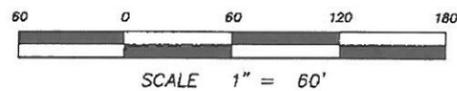
UNIT 1

TRACT 114

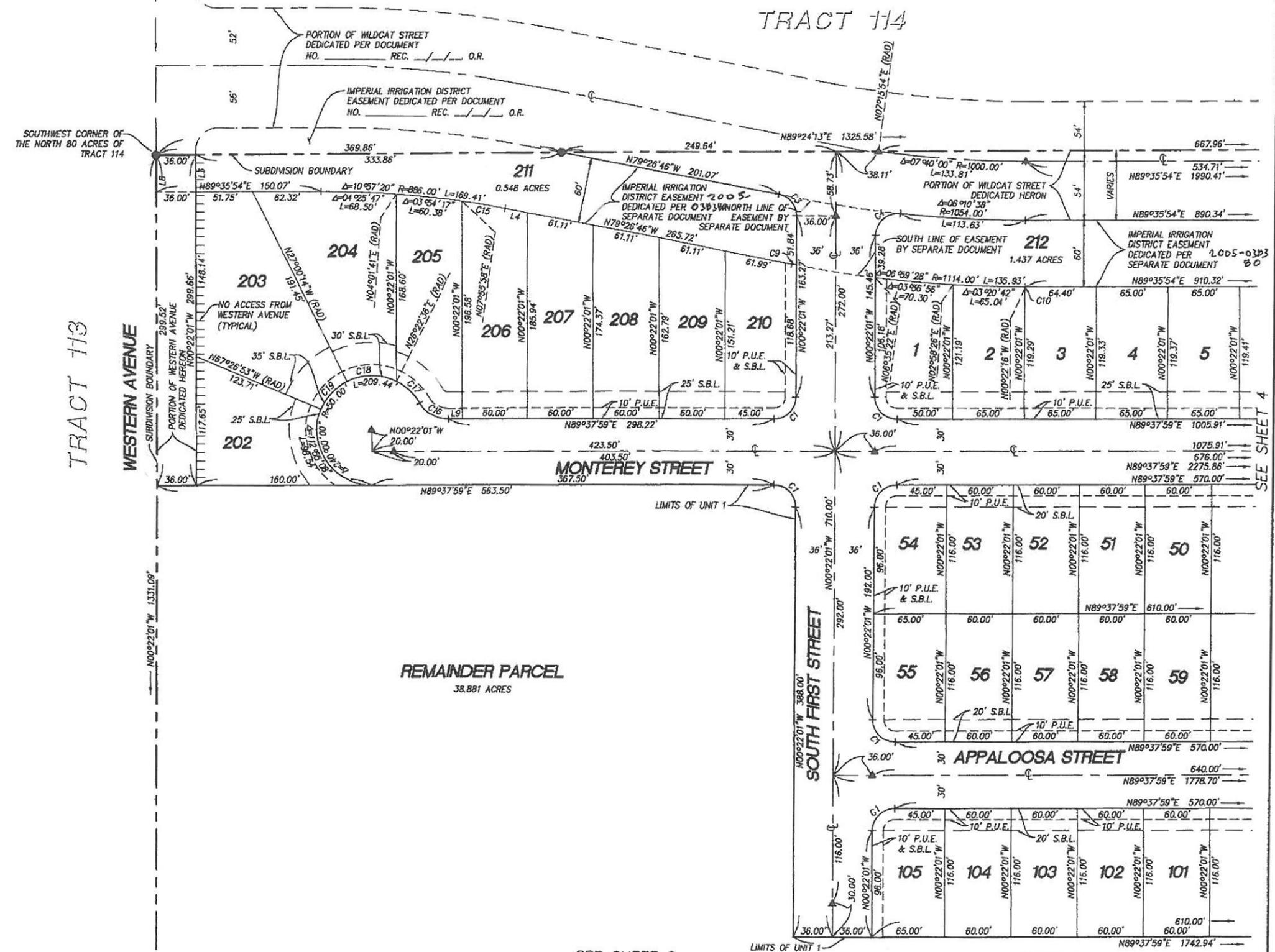
NO.	BEARING	LENGTH
L1	N89°37'53"E	21.71'
L2	N89°37'59"E	2.53'
L3	N00°22'01"W	33.88'
L4	N79°26'46"W	20.41'
L5	N89°35'54"E	35.29'
L6	N89°41'54"E	15.25'
L7	N89°42'00"E	15.25'
L8	N00°22'01"W	33.75'
L9	N89°37'59"E	13.22'

NO.	DELTA	RADIUS	LENGTH
C1	90°00'00"	20.00'	31.42'
C2	89°57'55"	20.00'	31.40'
C3	79°04'45"	20.00'	27.60'
C4	96°08'33"	20.00'	33.56'
C5	00°12'58"	1114.00'	4.20'
C6	00°01'50"	1114.00'	0.60'
C7	90°02'05"	20.00'	31.43'
C8	105°32'58"	20.00'	36.84'
C9	74°27'01"	20.00'	25.99'
C10	15°32'59"	200.00'	54.28'
C11	41°24'35"	30.00'	21.68'
C12	32°42'02"	30.00'	17.12'
C13	90°06'06"	20.00'	31.45'
C14	62°10'55"	30.00'	32.56'
C15	02°37'16"	886.00'	40.53'
C16	60°00'00"	30.00'	31.42'
C17	33°15'23"	50.00'	29.02'
C18	53°22'51"	50.00'	46.58'
C19	40°26'39"	50.00'	35.29'

SCALE 1" = 60'

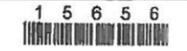


NE JOB NO. 104-111.3
NASLAND ENGINEERING
 CIVIL ENGINEERING • SURVEYING • LAND PLANNING
 4740 Ruffner Street, San Diego, California, 92111 • 858-292-7770



SEE SHEET 8

SHEET 3 OF 8 SHEETS

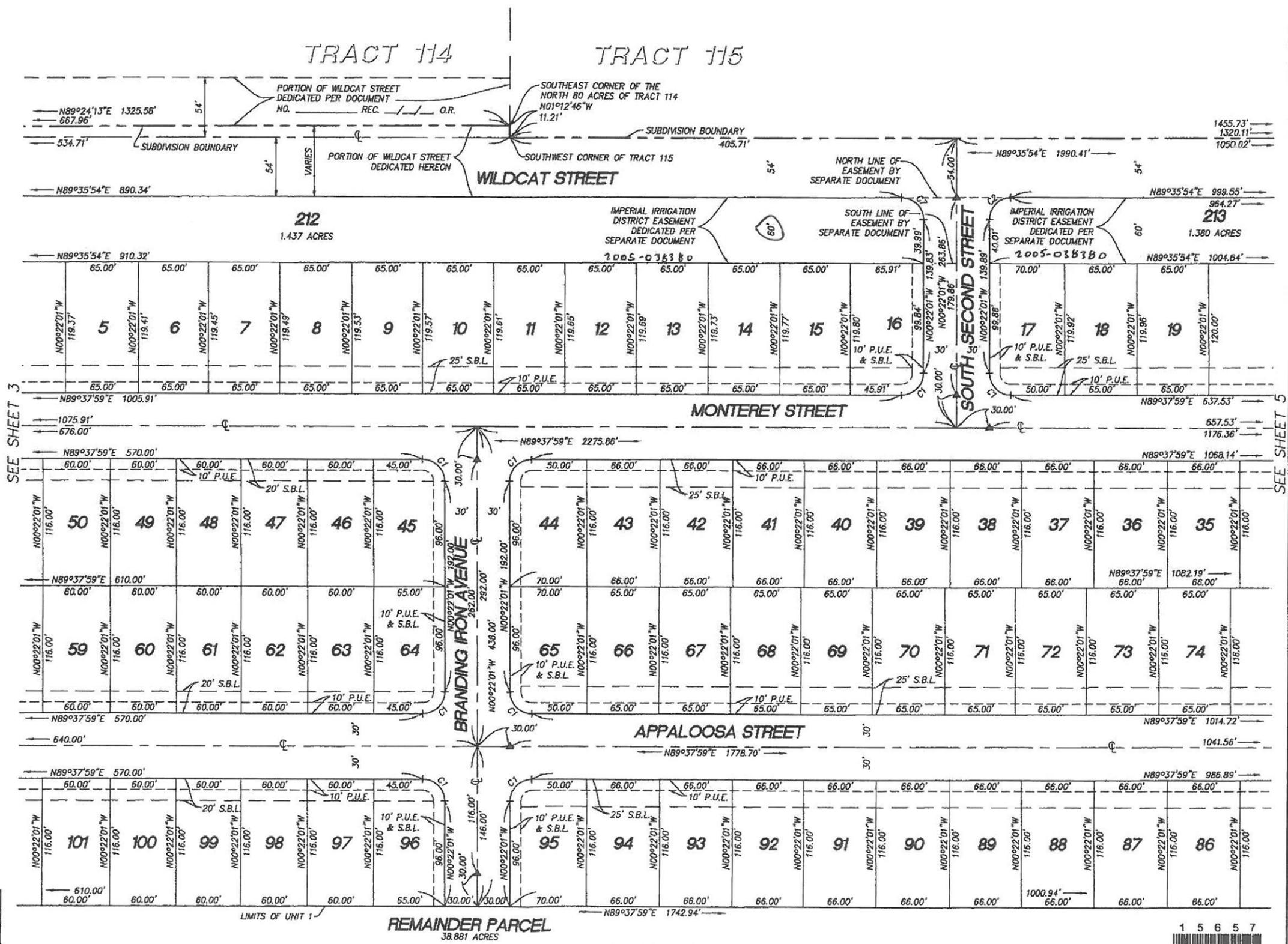


McMILLIN LATIGO RANCH

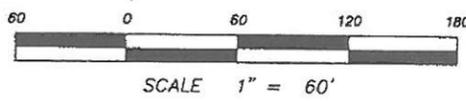
UNIT 1

NO.	BEARING	LENGTH
L1	N89°37'53"E	21.71'
L2	N89°37'59"E	2.53'
L3	N00°22'01"W	33.88'
L4	N79°28'46"W	20.41'
L5	N89°35'54"E	35.29'
L6	N89°41'54"E	15.25'
L7	N89°42'00"E	15.25'
L8	N00°22'01"W	33.75'
L9	N89°37'59"E	13.22'

NO.	DELTA	RADIUS	LENGTH
C1	90°00'00"	20.00'	31.42'
C2	89°57'55"	20.00'	31.40'
C3	79°04'45"	20.00'	27.60'
C4	96°08'33"	20.00'	33.56'
C5	00°12'58"	1114.00'	4.20'
C6	00°01'50"	1114.00'	0.50'
C7	90°02'05"	20.00'	31.43'
C8	105°32'59"	20.00'	36.84'
C9	74°27'01"	20.00'	25.99'
C10	15°32'59"	200.00'	54.28'
C11	41°24'35"	30.00'	21.68'
C12	32°42'02"	30.00'	17.12'
C13	90°06'06"	20.00'	31.45'
C14	62°10'55"	30.00'	32.56'
C15	02°37'16"	886.00'	40.53'
C16	60°00'00"	30.00'	31.42'
C17	33°15'23"	50.00'	29.02'
C18	53°22'51"	50.00'	46.58'
C19	40°26'39"	50.00'	35.29'



SCALE 1" = 60'



NASLAND ENGINEERING
 CIVIL ENGINEERING • SURVEYING • LAND PLANNING
 4740 Butner Street, San Diego, California, 92111 • 619-592-7770

NE JOB NO. 104-111.3

LIMITS OF UNIT 1

REMAINDER PARCEL
 38.881 ACRES

SEE SHEET 8

1 5 6 5 7
 SHEET 4 OF 8 SHEETS

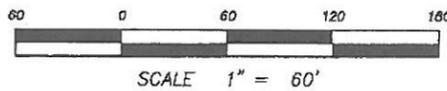
McMILLIN LATIGO RANCH

UNIT 1

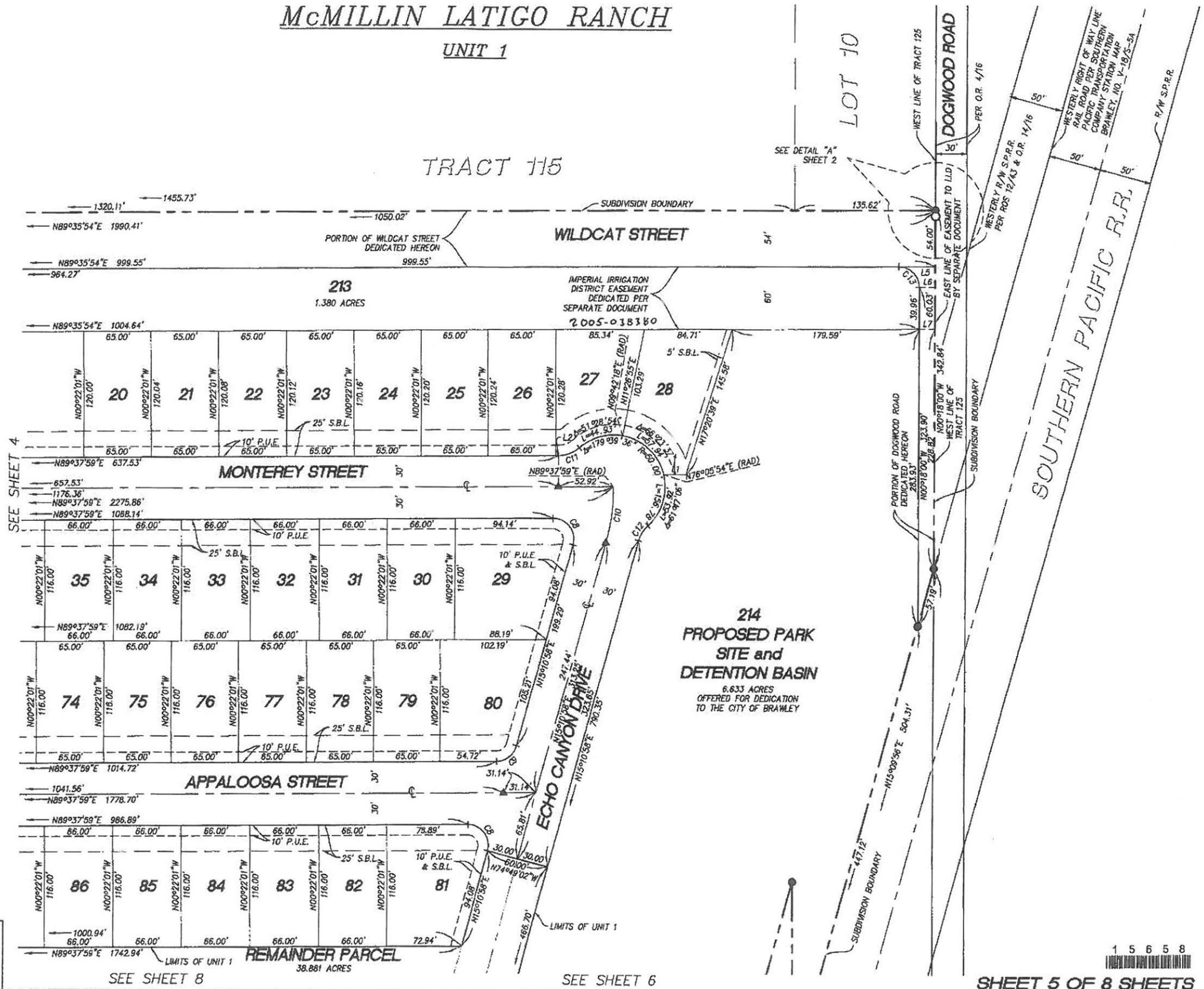
LINE DATA TABLE		
NO.	BEARING	LENGTH
L1	N89°37'53"E	21.71'
L2	N89°37'59"E	2.53'
L3	N00°22'01"W	33.88'
L4	N79°26'46"W	20.41'
L5	N89°35'54"E	35.29'
L6	N89°41'54"E	15.25'
L7	N89°42'00"E	15.25'
L8	N00°22'01"W	33.75'
L9	N89°37'59"E	13.22'

CURVE DATA TABLE			
NO.	DELTA	RADIUS	LENGTH
C1	90°00'00"	20.00'	31.42'
C2	89°57'55"	20.00'	31.40'
C3	79°04'45"	20.00'	27.60'
C4	96°08'33"	20.00'	33.56'
C5	00°12'58"	1114.00'	4.20'
C6	00°01'50"	1114.00'	0.60'
C7	90°02'05"	20.00'	31.43'
C8	105°32'59"	20.00'	36.84'
C9	74°27'01"	20.00'	25.99'
C10	158°32'59"	200.00'	54.28'
C11	41°24'35"	30.00'	21.68'
C12	32°42'02"	30.00'	17.12'
C13	90°06'06"	20.00'	31.45'
C14	62°10'55"	30.00'	32.56'
C15	02°37'16"	886.00'	40.53'
C16	60°00'00"	30.00'	31.42'
C17	33°15'23"	50.00'	29.02'
C18	53°22'51"	50.00'	46.58'
C19	40°26'59"	50.00'	35.29'

SCALE 1" = 60'



SCALE 1" = 60'



NE JOB NO. 104-111.3

NASLAND ENGINEERING

CIVIL ENGINEERING • SURVEYING • LAND PLANNING
4740 Balfour Street, San Diego, California, 92111 • 619-265-7770

SEE SHEET 8

SEE SHEET 6

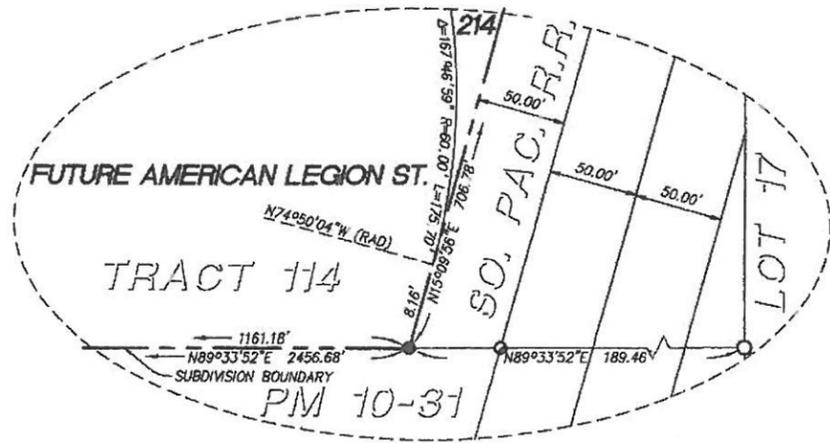
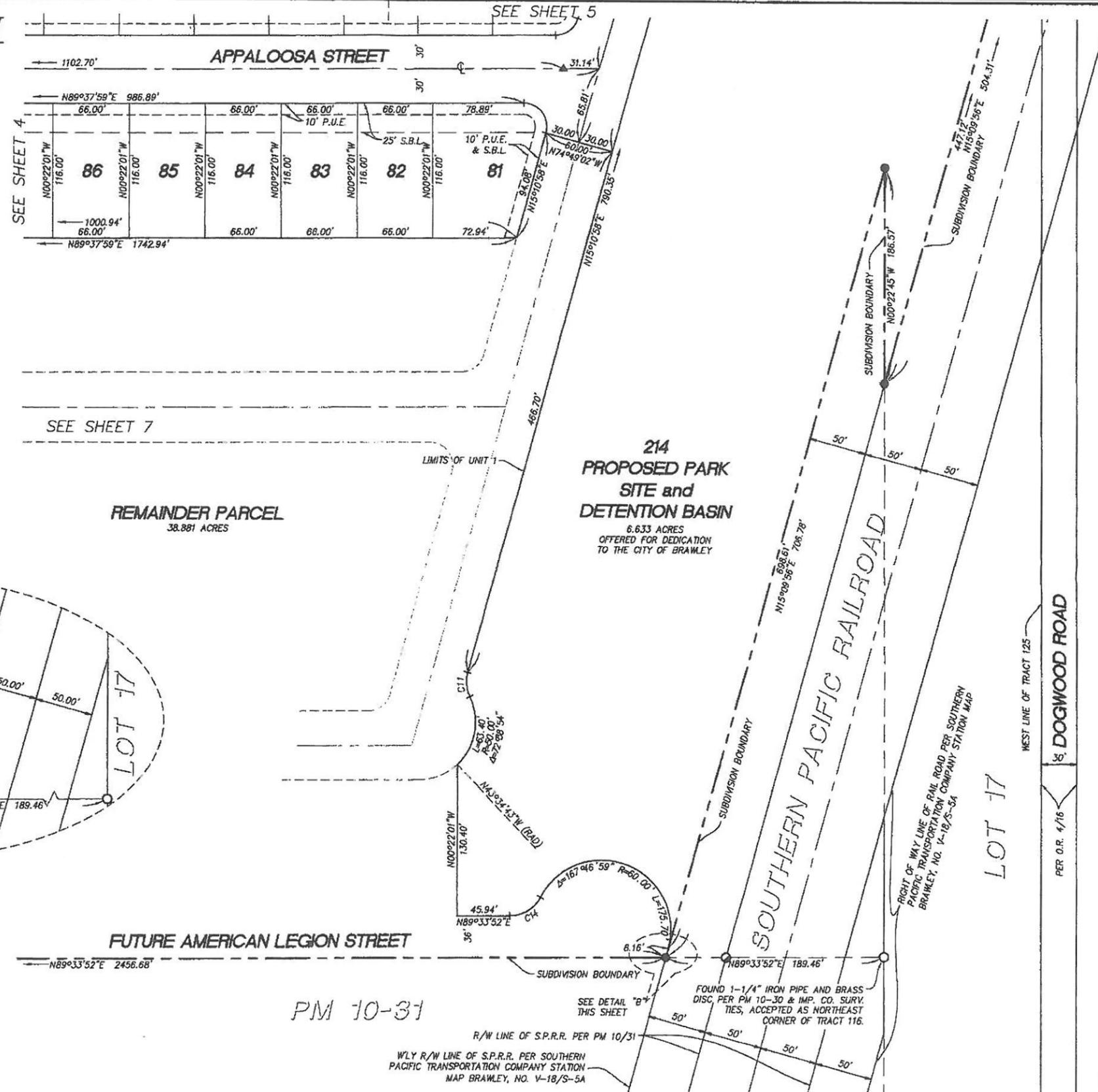
McMILLIN LATIGO RANCH
UNIT 1

LINE DATA TABLE

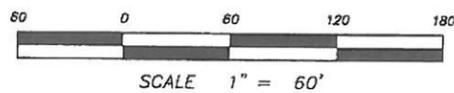
NO.	BEARING	LENGTH
L1	N89°37'53"E	21.71'
L2	N89°37'59"E	2.53'
L3	N00°22'01"W	33.88'
L4	N79°26'46"W	20.41'
L5	N89°35'54"E	35.29'
L6	N89°41'54"E	15.25'
L7	N89°42'00"E	15.25'
L8	N00°22'01"W	33.75'
L9	N89°37'59"E	13.22'

CURVE DATA TABLE

NO.	DELTA	RADIUS	LENGTH
C1	90°00'00"	20.00'	31.42'
C2	89°57'55"	20.00'	31.40'
C3	79°04'45"	20.00'	27.60'
C4	96°08'33"	20.00'	33.56'
C5	00°12'58"	1114.00'	4.20'
C6	00°01'50"	1114.00'	0.60'
C7	93°02'05"	20.00'	31.43'
C8	105°32'59"	20.00'	36.84'
C9	74°27'01"	20.00'	25.99'
C10	15°32'59"	200.00'	54.28'
C11	41°24'35"	30.00'	21.68'
C12	32°42'02"	30.00'	17.12'
C13	90°06'06"	20.00'	31.45'
C14	62°10'55"	30.00'	32.56'
C15	02°37'16"	886.00'	40.53'
C16	60°00'00"	30.00'	31.42'
C17	33°15'23"	50.00'	29.02'
C18	53°22'51"	50.00'	46.58'
C19	40°26'39"	50.00'	35.29'



DETAIL "B"
SCALE: 1" = 10'

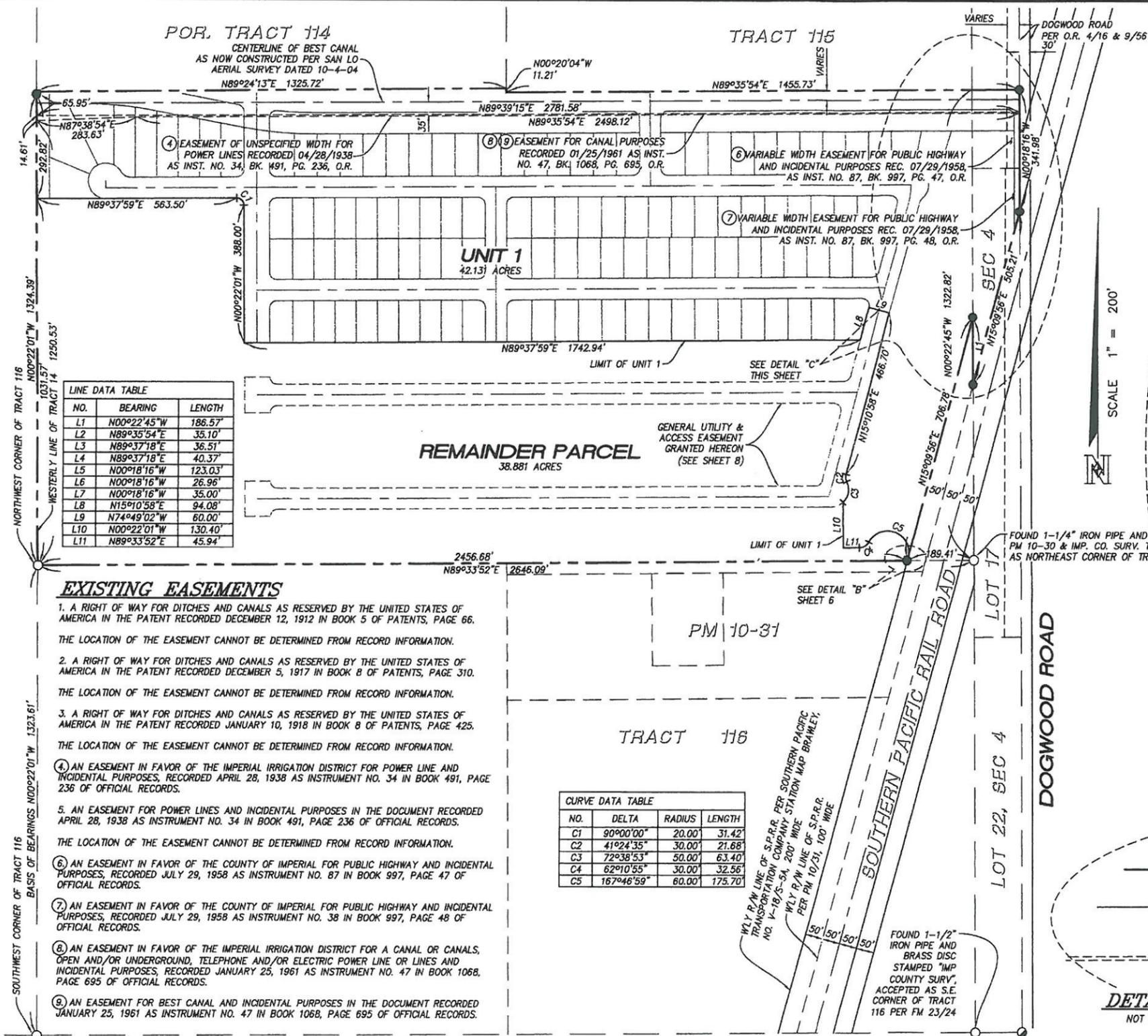


NASLAND ENGINEERING
CIVIL ENGINEERING • SURVEYING • LAND PLANNING
4749 Ruffner Street, San Diego, California, 92111 • 858-582-7770

NE JOB NO. 104-111.3

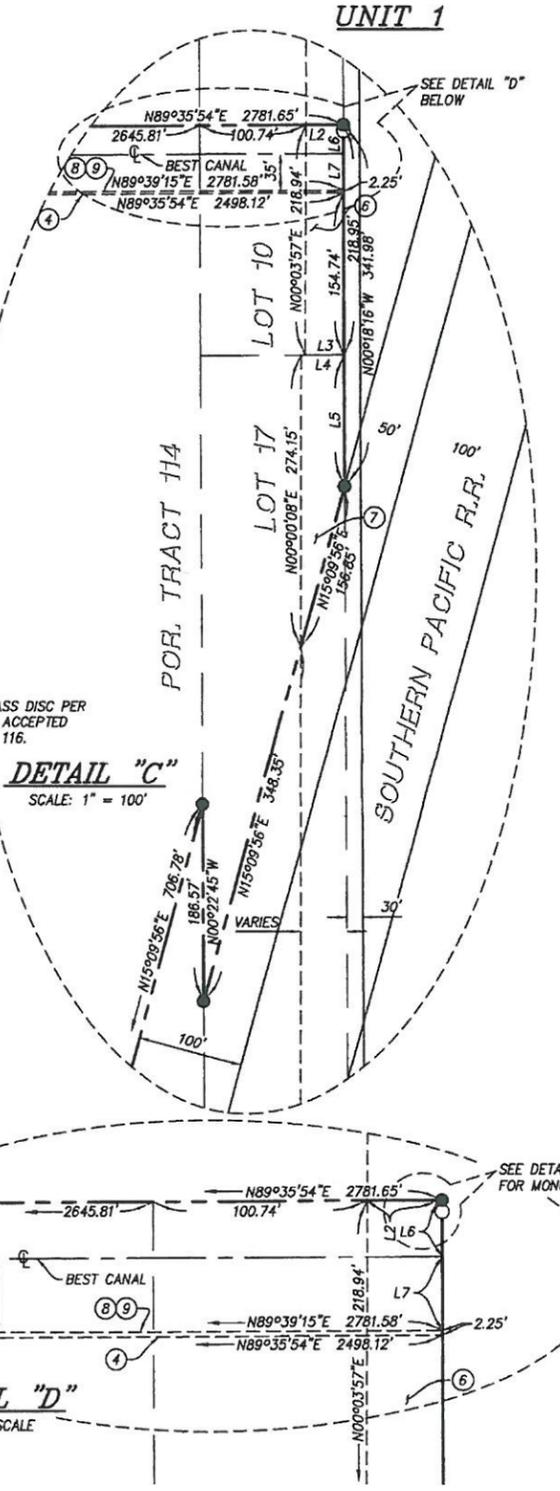
FOUND 1-1/4" IRON PIPE AND BRASS DISC PER PM 10-30 & IMP. CO. SURV. TIES, ACCEPTED AS NORTHEAST CORNER OF TRACT 116.
SEE DETAIL "B" THIS SHEET
R/W LINE OF S.P.R.R. PER PM 10/31
WLY R/W LINE OF S.P.R.R. PER SOUTHERN PACIFIC TRANSPORTATION COMPANY STATION MAP BRAWLEY, NO. V-18/S-5A

McMILLIN LATIGO RANCH



EXISTING EASEMENTS

- A RIGHT OF WAY FOR DITCHES AND CANALS AS RESERVED BY THE UNITED STATES OF AMERICA IN THE PATENT RECORDED DECEMBER 12, 1912 IN BOOK 5 OF PATENTS, PAGE 66.
THE LOCATION OF THE EASEMENT CANNOT BE DETERMINED FROM RECORD INFORMATION.
- A RIGHT OF WAY FOR DITCHES AND CANALS AS RESERVED BY THE UNITED STATES OF AMERICA IN THE PATENT RECORDED DECEMBER 5, 1917 IN BOOK 8 OF PATENTS, PAGE 310.
THE LOCATION OF THE EASEMENT CANNOT BE DETERMINED FROM RECORD INFORMATION.
- A RIGHT OF WAY FOR DITCHES AND CANALS AS RESERVED BY THE UNITED STATES OF AMERICA IN THE PATENT RECORDED JANUARY 10, 1918 IN BOOK 8 OF PATENTS, PAGE 425.
THE LOCATION OF THE EASEMENT CANNOT BE DETERMINED FROM RECORD INFORMATION.
- AN EASEMENT IN FAVOR OF THE IMPERIAL IRRIGATION DISTRICT FOR POWER LINE AND INCIDENTAL PURPOSES, RECORDED APRIL 28, 1938 AS INSTRUMENT NO. 34 IN BOOK 491, PAGE 236 OF OFFICIAL RECORDS.
- AN EASEMENT FOR POWER LINES AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED APRIL 28, 1938 AS INSTRUMENT NO. 34 IN BOOK 491, PAGE 236 OF OFFICIAL RECORDS.
THE LOCATION OF THE EASEMENT CANNOT BE DETERMINED FROM RECORD INFORMATION.
- AN EASEMENT IN FAVOR OF THE COUNTY OF IMPERIAL FOR PUBLIC HIGHWAY AND INCIDENTAL PURPOSES, RECORDED JULY 29, 1958 AS INSTRUMENT NO. 87 IN BOOK 997, PAGE 47 OF OFFICIAL RECORDS.
- AN EASEMENT IN FAVOR OF THE COUNTY OF IMPERIAL FOR PUBLIC HIGHWAY AND INCIDENTAL PURPOSES, RECORDED JULY 29, 1958 AS INSTRUMENT NO. 38 IN BOOK 997, PAGE 48 OF OFFICIAL RECORDS.
- AN EASEMENT IN FAVOR OF THE IMPERIAL IRRIGATION DISTRICT FOR A CANAL OR CANALS, OPEN AND/OR UNDERGROUND, TELEPHONE AND/OR ELECTRIC POWER LINE OR LINES AND INCIDENTAL PURPOSES, RECORDED JANUARY 25, 1961 AS INSTRUMENT NO. 47 IN BOOK 106B, PAGE 695 OF OFFICIAL RECORDS.
- AN EASEMENT FOR BEST CANAL AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED JANUARY 25, 1961 AS INSTRUMENT NO. 47 IN BOOK 106B, PAGE 695 OF OFFICIAL RECORDS.



Developer's Request Package

Final Proposal Package
To
The City of Brawley
For
Latigo Ranch

**Prepared By
Marty Coyne
(Applicant/Buyer)**

January 11, 2019

*Brawley Investment Ventures, LLC
2351 South 4th Street
El Centro, CA 92243
(760) 353-2110*

February 4, 2019

City of Brawley
383 W. Main Street
Brawley, CA 92227

Re: Latigo Ranch Revival

Dear Mr. Mayor, City Council Members, City Manager, Planning Director, City Engineer, and Staff:

Attached, please find our final proposal, maps, and other pertinent information to you and the City of Brawley that has been submitted to staff in preparation of my request for a Planning Commission hearing date and subsequent City Council meeting date. I have requested these meetings through your City Manager.

The purpose of my request is to have the Commission and Council revisit the project conditions and consider approving having its original conditions either modified, amended, and/or removed in support to revive and bring back to life the long abandoned Latigo Ranch subdivision and the completion of Wildcat Road behind Walmart. If approved, Brawley Investment Ventures, LLC will then move forward directing staff and your City Attorney to initiate a new development agreement with our new entity, Brawley Investment Ventures, LLC, as the new buyer/developer, as there is not one in place at this time.

I ask that you review the attached package in its entirety and the project's history, including the economic benefits that are part of a summary attached and given to council members on October 18, 2018.

My consultants and I have been working with staff since May of 2018 to determine options and alternatives to make the Latigo Ranch subdivision financially feasible, and attempt to achieve all its improvement requirements.

That being said, we do have a plan to bring Latigo Ranch back to success!

We are local and have an established and proven track record of turning projects around successfully within most of the cities of Imperial County.

Unfortunately, real estate lots and home values are not what they were at the top of the market 14 years ago, in 2005 and 2006, when this project was approved. That is why the subdivision has been abandoned for over 12 years by its original owners and has been passed on by many investors and developers, large and small, looking to invest in the Imperial Valley, as the subdivision has been on the market for sale for many years and now is in the state of blight and disrepair!

Our plan will allow us to start and finish the Latigo Ranch subdivision with the help and support of the City of Brawley and the IID related to the three main focused items, as stated below:

1. Condition #3: Buyer/developer is requesting that security for the completion of improvements are generated only from using the Latigo Ranch subdivision phase two 155 lots as security, that require to be approved by the City Council as stated in its original Condition #3.
2. The City of Brawley, in show of its support of resurrecting Latigo Ranch and its area traffic circulation plan, has applied and received approval to use grant monies and other funds to install and complete the first segment of the Best Canal undergrounding and Wildcat Road improvements from Western Avenue to the east side of First Street, scheduled to be completed by mid to late 2020.
3. The Best Canal, on the north side of the subdivision property line, has always been a condition request and City requirement since the project was approved in 2005, although not listed as one of the project's 29 original conditions. This has been a major obstacle since the beginning, a multi-million dollar expense, and has been the single largest obstacle of this project to develop or to find a new buyer due to its very expensive costs.

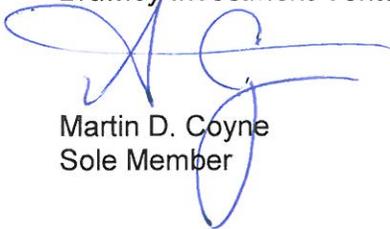
Our proposal was, and still is, to have the City apply with the IID to approve using their canal underground MWD funds to finance 75% of the cost to underground the balance of the two thirds that was not included in the CMAQ grant. The only problem is that other cities have had applications for canal undergrounding in place for years so, unfortunately, it may take 10 to 15 years for IID to have the funding to complete the task.

With that unfortunate timeline from IID, we have proposed to your Engineering and Planning staff that we would complete the Wildcat Road extension all the way to Dogwood Road after segment 1 of undergrounding of the Best Canal and Wildcat Road is completed by the City, and leaving the balance of the Best Canal in the median area between the north side and south side lanes of Wildcat Road, thus allowing for the circulation plan of completing Wildcat Road without having to wait for future IID funding to underground the balance of the Best Canal. Public safety mitigation measures shall be put in place as a deterrent by the developer, such as safety education, no trespassing signage, safety exit ladders, and rope type hand grab exit crossing devices shall be installed to ensure maximum safety to the public. Please note that there will still be access, exposure, and risk to the Best Canal across the street on the east side of Dogwood Road, as well as other canal exposures and access that will always be prevalent regardless, as we all know that open canals and drains are common all over the Imperial Valley.

Thank you for your investment of time in our efforts to bring Latigo Ranch back to life again!

Sincerely,

Brawley Investment Ventures, LLC

A handwritten signature in blue ink, appearing to read 'M. Coyne', with a large, stylized flourish extending to the left.

Martin D. Coyne
Sole Member

Attachments

1. Planning Department Application signed by applicant and property owner
2. Project history and status
3. Google Earth map of Latigo Ranch subdivision and surrounding area
4. Copy of Latigo Ranch subdivision map and proposed future phasing for Unit 2 final mapping
5. Map and drawing of proposed 2 eastbound lanes of Wildcat Road to be completed with the term and details being part of the development agreement between the applicant/buyer of Latigo Ranch and the City of Brawley
6. Letter from City Manager dated December 13, 2018 relating to Latigo Ranch
7. Final proposal prepared for Planning Commission, City Council, and staff
8. Security information to the City for subdivision improvements using real estate in lieu of bonding that the applicant is requesting with back up and detail, including methods used by other Imperial Valley cities, as requested by City Council to be added to this package for their review, education, and consideration to use the subdivision as security for the balance of Latigo Ranch improvements



CITY OF BRAWLEY
PLANNING DEPARTMENT
APPLICATION

Fee \$ 300
Planning Staff Initials AM
CITY STAMP
Amount Received \$
Finance Initials

CHECK ALL THAT APPLY:

PROJECT

- ___ Conditional Use Permit
___ New ___ Extension/Renewal
___ Adjustment Plat (Lot Line Adjustment/Lot Merger)
___ 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)

[X] Other (Please Specify) Appeal to Planning Commission

PROPERTY OWNER

Name:
Mailing Address:
Phone:
Fax:
E-mail:

ENGINEER / AGENT*

Martin D. Coyne
2351 S. 4th Street
El Centro, CA 92227
(760)554-6401
martycoyne@hotmail.com

Assessor Parcel Number(s):

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

See Attached Project Description.

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.

SPECIAL NOTES

Applicant or authorized representative* must be present at Planning Commission meeting(s) and/or City Council meeting(s) for action to be taken on the application.

Submit twenty (20) copies of Site Plans, Parcel/Tract Maps or Adjustment Plats including one electronic copy shall be submitted with the application. Projects in the Airport Land Use Commission sphere require thirty (30) copies.

Staff's acceptance of the application or deeming the application complete does not imply that Staff will recommend approval of the project.

The owner(s) of the parcel(s) listed on this application must pay all fees and costs related to the project(s) listed on this application including, but not limited to, application fees (*Application Fee Schedule*), engineering fees and costs (*as determined by the City Engineer at the time of final map check and/or improvement plan check*), building permit fees (*Building Permit Fee Schedule*), development impact fees (*Development Impact Fee Implementation Schedule*), water and wastewater capacity fees (*Capacity Fee Implementation Schedule*), Environmental Fees (*Department of Fish and Game*), and fees imposed by the County of Imperial (*tax certificate, recordation fees, and Air Pollution Control District (APCD) fees*). A deposit in an amount determined by the Planning Director will be required at the time of application. Nonpayment of fees will stop the entitlement process.

I, _____,
(print name of property owner)

hereby apply to the City of Brawley for the actions indicated above for the above-specified property that I own or control, as per the attached information, and in accordance with all applicable local, state, and federal laws and regulations. I hereby agree to pay all fees and cost associated with the actions indicated for the above-specified property that I own and control as per the attached information, and pay fees and costs associated with required off-site improvements as determined by the City Engineer.

I, MARK D. McMillin Brawley Latigo Land LLC
(print name of property owner)

give the following person/organization permission to act as my agent* and to make decisions in my name as he/she/they feel necessary for the project described on the previous pages.

MARTIN COYNE _____
(print name of agent) (agent's company name, if applicable)

I certify that the above information, to the best of my knowledge, is true and correct.

[Signature]
Signature of Property Owner

12/18/18
Date

[Signature]
Signature of Agent

12-18-18
Date

*Property owner's signature must be notarized if an agent is being designated.

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Imperial

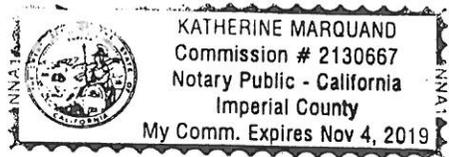
On December 18, 2018 before me, Katherine Marquand/Notary Public
(insert name and title of the officer)

personally appeared Mark McMillin
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Katherine Marquand (Seal)



*Brawley Investment Ventures, LLC
2351 South 4th Street
El Centro, CA 92243
(760) 353-2110*

October 18, 2018

Dear Mr. Mayor, City Council Members, City Manager, City Engineer, and Planning Director:

I, Martin Coyne, operating as a new entity, if approved, will be named Brawley Investment Ventures, LLC, hereby proposes to enter into a development agreement with the City of Brawley, regarding the revitalization of Latigo Ranch subdivision, under the terms and conditions as proposed in attached Exhibit A.

After several previous meetings with staff and a couple of brief appearances before Council, and along with coming to terms with the seller and opening escrow, I feel it is time to move forward to finish completing a development agreement with the City and close escrow with the seller by the end of November 2018.

Project History

Latigo Ranch was originally approved in 2005 (almost 14 years ago). Today is a much different economic environment. At that time, finished lots were worth upwards of \$80,000 to \$85,000 and homes were selling for into the high \$300,000s and low \$400,000s. CFDs were common and publicly accepted, and project conditions were imposed on developers and accepted, due to the high profitability of having high valued finished lots and high priced homes. City agencies, as well as developers, witnessed the Great Recession of 2007-2008 and beyond, leaving the City of Brawley with projects like Latigo Ranch and Lucky Ranch, abandoned and deteriorating, familiar to many other municipalities in the Imperial Valley, and elsewhere.

The reason Latigo Ranch still remains abandoned is that the project no longer financially pencils out in today's market, where on a good day a finished lot is worth \$50,000 and 90% of Imperial Valley homebuyers can now only qualify to purchase a home in the \$200,000 to \$275,000 range.

It is my understanding, from the seller and your City Manager, that Latigo Ranch has been considered by many developers and investors over the last 10 years. To date, all have concluded Latigo is not a viable investment, abandoning any development plans after examining all project conditions, costs, and requirements, as they relate to today's different, challenging real estate market.

Reviving Latigo Ranch will require cooperation of a public private commitment. This will involve City participation including, but not limited to, project condition concessions, financial relief, and other participation by the City, including using other outside agencies, like the IID, to help fund 75% of the Best Canal undergrounding.

Track Record and Development Experience of Martin Coyne

Brawley Investment Ventures, LLC with Martin Coyne being its sole member, has significant successful experience in turning around and building out abandoned, broke, dilapidated, and blighted subdivisions and commercial properties in the cities of Calexico, Imperial, El Centro, and Heber over the last 10 years. Some of those projects were:

Mayfield Ranch	233 lot SFR subdivision	City of Imperial
Morningside	100 lot SFR subdivision	City of Imperial
Savanna Ranch	62 lots SFRs	City of Imperial
Morningside Apartment Homes	120 multi-family project	City of Imperial
Paridiso	110 SFRs	City of Imperial
Heber Meadows	24 lot SFR	Heber/County of Imperial
La Jolla Palms	80 homes SFR	City of Calexico
Strike Zone	Commercial bowling alley Bankrupt, closed, reopened Turned over to non-profit, ARC	City of El Centro
I-8 & 4 th Street	Commercial, 7 acres	City of El Centro
Direct Auto Building	abandoned, blighted auto dealership	
Developed	60,000 s/f Coyne Powersports	Opened Jan. 2017
Developed	Starbucks	Opened Aug. 2018
Developed	Habit Burger	Open January 2019
Developed	Panera Bread	Open Fall 2019

On all revived projects listed above, the cities have participated in numerous ways, including financial funding, project condition concessions, and sales tax sharing.

Lost and Unrecoverable Revenue to the City of Brawley

Lost and unrecoverable funds of CFD income over the last 11 years, \$273,000 =	\$ 3,000,000
Lost and unrecoverable property tax income last 11 years, \$250x11x28% =	<u>2,500,000</u>
City's lost funding due to Latigo's non-development – since 2008	\$ 5,500,000
Monthly water/sewer fees lost over last 11 years, \$125x\$273x12x11 =	<u>4,500,000</u>
	\$10,000,000

Future Financial Benefits to the City of Brawley

Future financial benefits to the City of Brawley, should Latigo Ranch be approved, over the next 10 years would be:

Water/sewer capacity fees	\$ 4,250,000
Water/sewer resident monthly charges	4,900,000
Impact fees	1,100,000
Building permit fees and inspection fees	450,000
CFD income	2,700,000
Property taxes: net percentage to the City	<u>2,500,000</u>
	\$15,900,000

Estimated school fees paid to the Brawley School District at build out = \$2,014,000

These economic benefits, as stated above, do not even factor in population increase to Brawley, causing increased sales tax revenue to the City and bringing in new retailer prospects to the community.

Goals

The goals of Martin Coyne DBA Brawley Investment Ventures, LLC is to purchase, revive, and develop Latigo Ranch, starting in early 2019 with the intent of continued investment of retail, residential, and multi-family after Latigo Ranch within the city of Brawley, including, but not limited to, purchasing and also turning around the blighted and abandoned Lucky Ranch subdivision, as well as other retail projects, including the possibility of opening a satellite Coyne Powersports/RV sale location during the desert season.

Proposal

Martin Coyne DBA Brawley Investment Ventures, LLC is prepared to move forward and close escrow with the seller and develop Latigo Ranch, conditioned upon the completion of a new development agreement, restructured by the City and approved by the new buyer, Brawley Investment Ventures, LLC, under the terms and conditions as stated below. Buyer is also requesting a special council meeting take place ASAP, but no later than November 6, 2018, as time is of the essence.

Comments and requested changes to the imposed 2005 Latigo Ranch conditions already in place:

Latigo tract map conditions imposed in 2005 when approved, as stated below with requested Buyer amendments and deletions:

Condition #1: Buyer agrees to this condition.

Condition #2: Buyer agrees to this condition.

*Buyer would like to confirm that Unit 1 has been completed, approved by the City, all plan checks and City fees are paid. Confirmation that the public improvements have not been accepted and taken over by the City.

Confirm the status of Unit 2 maps and improvement plans have been submitted, approved, and fees paid and are ready to be recorded.

Condition #3: Buyer agrees to this condition, but requests that a deed in lieu of bond be pledged against Unit 2. The condition specifically states that the type of improvements security shall be approved by the City Council.

Condition #4: Buyer agrees to this condition.

*Buyer requests confirmation, in writing, whether any or all improvements on right-of-ways on easements have been dedicated and if not, please confirm which ones are needed to be completed and dedicated.

Condition #5: Buyer agrees to this condition.

Condition #6: Buyer agrees to this condition.

- Condition #7: Buyer agrees to this condition.
- Condition #8: Buyer agrees to this condition.
- Condition #9: Buyer agrees to this condition.
- Condition #10: Buyer agrees to this condition.
- Condition #11: Buyer agrees to this condition.
- Condition #12: Buyer agrees to this condition.
- Condition #13: Buyer agrees to this condition.
- Condition #14: Buyer agrees to this condition.
- Condition #15: Buyer agrees to this condition.
- Condition #16: Buyer agrees to this condition.
- Condition #17: Buyer hereby requests that the buyer has the option to improve park area in retention basin with park impact fees paid at time of building permit, or staff advise how much Quimby fees shall be.
- Condition #18: Buyer as previously discussed in a prior meeting with staff, buyer and staff agreed that buyer will fund the City its fair share of the costs to install Western Avenue at a future date, but no later than the completion of and build out of Unit 2C, lots 261 to 267 and/or the IID 70' right-of-way abutting the north property line, when future development occurs. Buyer further requests that said funding shall come from transportation impact fees paid at the time of building permits. Total transportation impact fees to the City at build-out are \$491,400.00. Estimate cost to complete this condition is \$210,120.00
- Condition #19: Buyer as previously discussed in a prior meeting with staff, buyer and staff agreed Legion Road should be developed at a future date, as the area grows, but no later than the completion of and build out of Unit 2C, lots 261 to 267 and/or the IID 70' right-of-way abutting the north property line, with future development. Buyer and staff agreed to have buyer fund the City for its fair share of condition #19 from Western Avenue to Branding Iron Street and lay Class II base material down Branding Iron East to the sewer lift station. The base material shall be 24 feet wide and 3" deep. Buyer also requests that condition #19 be restated to be funded through the transportation impact fees paid at building permit. Estimated cost to be \$240,030.00, still leaving over \$41,250 in the fund to apply to Panno Road improvements.
- Condition #20: Buyer as agreed to with staff at a previous meeting, the City of Brawley is taking the lead of funding, approving, and constructing Panno/Wildcat Road and undergrounding of the Best Canal all the way to the East side of First Street.

Buyer then has requested that the City make application with IID to participate in undergrounding the balance of the Best Canal to the East to Dogwood Road at 75%, when the funds become available. Buyer shall cover the difference, up to 25% that IID does not cover and will complete and install the balance of the two lane Wildcat Road, upon the completion of the canal undergrounding. The developer to the North shall complete their fair share commitment of adding two lanes of travel on the North side.

- Condition #21: Buyer agrees to this condition as per plan, so long as the developer completes their fair share part as agreed to with the City. This condition shall be completed within the same timeline as Wildcat/Panno and canal undergrounding takes place.
- Condition #22: Buyer understands this condition is already in place and operating and begins at certificate of occupancy.
- Condition #23: Buyer states the City has already confirmed there will be no school site and buyer would like a written confirmation.
- Condition #24: Buyer states the City has already confirmed there will be no fire station and buyer would like a written confirmation.
- Condition #25: Buyer states that staff, in previous meetings, have supported eliminating this condition. Buyer requests that this condition be deleted/removed as a condition.
- Condition #26: Buyer states staff has confirmed that this condition has been completed. Buyer requests a written confirmation.
- Condition #27: Buyer agrees to this condition, upon the City confirming these fees were not previously paid.
- Condition #28: Buyer agrees to this condition.
- Condition #29: Buyer requests that both buyer and the City cross indemnify each party as part of the next development agreement defining in detail the responsibilities of both parties regarding the entire subdivision. Neither the buyer nor the City wants to be exposed to an open checkbook situation or be exposed to any unknown, after the fact liabilities. This can be partly accomplished by City engineering and planning staff and buyer's representatives to complete an entire detailed inspection of the subdivision.

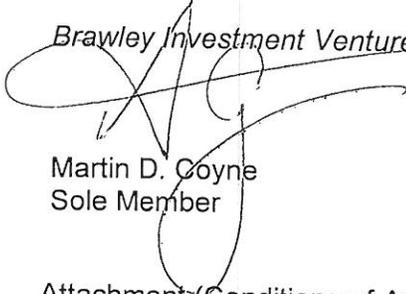
Other items that need to be approved as part of the development agreement:

1. Buyer requests that the 13 year old improvement plans can be reviewed again and value engineered with approval from the City. The buyer on other current ongoing projects, the Latigo Ranch engineer of record plans are dated and inefficient. Due diligence and design review are requested. The buyer has had problems with Hale Engineering on spec, design, and take off on other City subdivisions buyer has revived.
2. Buyer requests authorization to be able to build and market for sale Unit 1, 96 lots immediately, while the market is still very active and prior to rising interest rates and increased costs in building materials. The proceeds for Unit 1 will be used to pay off buyer's note with seller and fund mapping and improvements on all of Unit 2.

3. Buyer requests that park impact fees, as collected, can be used for improving the park/retention basin, although not part of project conditions.
4. As proposed, the City shall financially commit to engineer, design, and install Wildcat Road and underground the Best Canal all the way from Western Avenue East to the East side of 1st Street.

Sincerely,

Brawley Investment Ventures, LLC



Martin D. Coyne
Sole Member

Attachment (Conditions of Approval – Latigo Ranch Subdivision)

Conditions of Approval
Latigo Ranch Subdivision –
TM05-01 (Tentative Tract Map) [Major Subdivision]/ZC05-01
(Zone Change)/GPA05-01 (General Plan Amendment)

Portion of Tract 114 and 115, Township 14 South, Range 14 East, City of Brawley,
County of Imperial, State of California

City Council approval of the Tentative Tract Map (Major Subdivision), Zone Change, and General Plan Amendment is subject to compliance with the following conditions:

1. The Developer shall comply with all local, state & federal laws, rules, regulations, ordinances, resolutions and standards applicable to this Project, whether specified herein or not. Where conflicts occur, the most stringent requirements as interpreted by the City shall apply.
2. 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.
3. 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 insure 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.
4. Offer for dedication all rights of way, easements or parcels of land required for the improvements of streets, underground pipelines, and utilities.
5. 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.
6. 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.
7. Stop signs, stop bars and legend, shall be provided at locations determined by the City Engineer.
8. All private drainage and all private facilities, which are installed, operated, and maintained within Imperial Irrigation District right of way, require an IID encroachment permit.
9. Developer shall provide the Project's electrical load calculations to the Imperial Irrigation District Power Department in order to determine the electrical power facilities needed and their cost.
10. Developer shall provide to the Project, underground utility services such as: natural gas, telephone and cable television in coordination with the corresponding utility company.
11. 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, table A-III-B-I. Installation of fire hydrants shall be prior to construction of each respective phase of the development.
12. Project must comply with local, state and federal storm drainage discharge permits regulations.
13. Provide adequate drainage to prevent runoff into agricultural land and subsequent erosion of soils.
14. 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.
15. Implementation of Best Management Practices and a Storm Water Pollution Prevention Plan to prevent soil erosion and polluted runoff.

Tentative Tract Map/Zone Change/General Plan Amendment: TM05-01/ZC05-01/GPA05-01

16. 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.
17. Quimby fees will be calculated using the appraised or purchase price to be provided by the Developer.
18. The east half of Western Avenue shall be constructed to half-width (36 feet) from Panno Street to Legion Street.
19. The north half to Legion Street shall be constructed to the standards of a Secondary Arterial from Western Avenue to the Park/Retention Basin.
20. The south half of Panno Avenue shall be constructed to the standards of a Major Arterial (including medians) from Western Avenue to Dogwood Road (Imperial Avenue).
21. The west half of Dogwood Road (Imperial Avenue) shall be constructed to the standards of a Secondary Arterial from Panno Street to the Union Pacific Railroad.
22. A Community Facilities District (CFD) shall be formed to maintain the lighting and landscaping prior to recordation of the final map.
23. An elementary school site may need to be provided per the Brawley Elementary School District. An overlay has been provided for such a provision.
24. A fire station site may need to be provided per the Fire Chief. An overlay has been provided for such a provision.
25. The developer shall contribute a fair share to the Panno Street railroad crossing.
26. The developer shall contribute a fair share to the upgrade/rehabilitation of Lift Station #1.
27. Subdivider shall pay fees to record and process the tentative map and related environmental documents.
28. Subdivider shall adhere to all mitigation measures in the Mitigated Negative Declaration.
29. 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.



CITY OF BRAWLEY

ADMINISTRATIVE OFFICES

383 Main Street
Brawley, CA 92227
Phone: (760) 351-3048
FAX: (760) 351-3088

13 December 2018

Mr. Marty Coyne
Brawley Investment Ventures, LLC
2351 South 4th Street
El Centro, CA 92243

Re: Public Meetings for Latigo Ranch Condition Modification

Dear Mr. Coyne:

The City appreciates your interest in acquiring the Latigo Ranch Subdivision. It is clear that you have undertaken a substantial effort to determine the project's potential viability. It is my understanding that you are under substantial pressure from a timing point of view to resolve outstanding questions that will be answered through a public hearing process before the City of Brawley Planning Commission and City Council.

In the last several months, the City has been heavily focused on our annual audit and fiscal year budget which were both severely delayed due to staffing changes. Now, the holiday calendar poses a different challenge.

The following meeting schedule is proposed for public meetings of the respective bodies:

Planning Commission	9 January 2019
City Council	28-31 January 2019

Should you have any questions, please feel free to contact me at 760-351-3048.

Sincerely,

A handwritten signature in black ink that reads "Rosanna Bayon Moore".

Rosanna Bayon Moore
City Manager

Cc: Gordon Gaste, Development Services Director
Guillermo Sillas, Public Works Director



Latigo Ranch Meeting with Marty Coyne
18 May 2018
Agenda

1. Status of Units 1 and 2
 - a. Unit 1 – subdivision improvement agreement extinguished, bonds released
 - i. Outstanding items – new subdivision improvement agreement, new engineer's estimate, bonds
 - b. Unit 2 – tentative map to expire 11/30/2019
2. Pathway for Condition Modification
 - a. Planning Commission
 - b. City Council
3. Potential considerations
 - a. Traffic impact fee
 - b. Park impact fee

Latigo Ranch

Final Proposal to Revive Latigo Ranch and Restart Growth and Development

02-04-19

There are 29 original conditions for Latigo Ranch that were approved by the City Council in 2005, herein attached.

Developer/buyer has agreed to all of the conditions approved in 2005, with the exceptions as listed below.

Developer/buyer hereby requests the elimination of conditions:

#17 as supported and approved by City Manager and staff

#23 as supported and approved by City Manager and staff

#24 as supported and approved by City Manager and staff

#25 as supported and approved by City Manager and staff

Furthermore, the applicant/buyer has requested Planning Commission, City Council, and staff's support to include these additional requests and provisions be incorporated into a new development agreement with the new developer to make Latigo Ranch viable to bring back to life again and make it financially feasible.

Notable Items and Details that are requested by the New Developer/Buyer to be added into a New Development Agreement

1. Developer/buyer reserves the right to value engineer existing plans acceptable to the City Engineer.
2. Developer/buyer requests to sell, market, and build Phase I 96 finished lots immediately, upon the completion of a new development agreement. Any Phase I improvements or repairs still needed shall be secured with Phase II lots. Building permits and certificates of occupancy shall be made available at developer's request.
3. Developer/buyer may use park impact fees to develop IID strip parkway or any other park within the Latigo subdivision.
4. Developer/buyer and the City agree and understand that the City is responsible to underground the Best Canal and install the two south side lanes of Wildcat Road from Western Avenue to the East side of 1st Street at their expense, using CMAQ grant monies and other funds.

6. Developer/buyer requests using a Deed in Lieu of Bond only as security for Phase I and II improvements using Phase II lots as security only subject to appraisal of Phase II lots verifying equity value in the 155 lots in Phase II, as related to Condition #3.
7. Developer/buyer requests that Western Avenue be completed in full prior to the City releasing the certificates of occupancy on lots 260 to 272 of Phase II, as related to Condition #18.
8. Developer/buyer agrees with staff that Legion Road from Branding Iron to pump station be constructed to an all-weather road, should it not already be an all-weather road all or part, as related to Condition #19. Legion Road shall be completed prior to the City releasing the certificates of occupancy for lots 252 to 259.
9. Developer/buyer requests that Imperial/Dogwood Road improvements be constructed at the same time Wildcat Road improvements are completed, but no later than the final 6 certificates of occupancy being issued for Phase I and the city's completion of segment 1 improvements of constructing Wildcat Road and Best Canal undergrounding from Western Avenue to the East side of 1st Street, as revised to conditions #20 and #21.

Conditions of Approval
Latigo Ranch Subdivision –
TM05-01 (Tentative Tract Map) [Major Subdivision]/ZC05-01
(Zone Change)/GPA05-01 (General Plan Amendment)

Portion of Tract 114 and 115, Township 14 South, Range 14 East, City of Brawley,
County of Imperial, State of California

City Council approval of the Tentative Tract Map (Major Subdivision), Zone Change, and General Plan Amendment is subject to compliance with the following conditions:

1. The Developer shall comply with all local, state & federal laws, rules, regulations, ordinances, resolutions and standards applicable to this Project, whether specified herein or not. Where conflicts occur, the most stringent requirements as interpreted by the City shall apply.
2. 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.
3. 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 insure 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.
4. Offer for dedication all rights of way, easements or parcels of land required for the improvements of streets, underground pipelines, and utilities.
5. 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.
6. 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.
7. Stop signs, stop bars and legend, shall be provided at locations determined by the City Engineer.
8. All private drainage and all private facilities, which are installed, operated, and maintained within Imperial Irrigation District right of way, require an IID encroachment permit.
9. Developer shall provide the Project's electrical load calculations to the Imperial Irrigation District Power Department in order to determine the electrical power facilities needed and their cost.
10. Developer shall provide to the Project, underground utility services such as: natural gas, telephone and cable television in coordination with the corresponding utility company.
11. 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, table A-III-B-I. Installation of fire hydrants shall be prior to construction of each respective phase of the development.
12. Project must comply with local, state and federal storm drainage discharge permits regulations.
13. Provide adequate drainage to prevent runoff into agricultural land and subsequent erosion of soils.
14. 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.
15. Implementation of Best Management Practices and a Storm Water Pollution Prevention Plan to prevent soil erosion and polluted runoff.

Tentative Tract Map/Zone Change/General Plan Amendment: TM05-01/ZC05-01/GPA05-01

16. 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.
17. Quimby fees will be calculated using the appraised or purchase price to be provided by the Developer.
18. The east half of Western Avenue shall be constructed to half-width (36 feet) from Panno Street to Legion Street.
19. The north half to Legion Street shall be constructed to the standards of a Secondary Arterial from Western Avenue to the Park/Retention Basin.
20. The south half of Panno Avenue shall be constructed to the standards of a Major Arterial (including medians) from Western Avenue to Dogwood Road (Imperial Avenue).
21. The west half of Dogwood Road (Imperial Avenue) shall be constructed to the standards of a Secondary Arterial from Panno Street to the Union Pacific Railroad.
22. A Community Facilities District (CFD) shall be formed to maintain the lighting and landscaping prior to recordation of the final map.
23. An elementary school site may need to be provided per the Brawley Elementary School District. An overlay has been provided for such a provision.
24. A fire station site may need to be provided per the Fire Chief. An overlay has been provided for such a provision.
25. The developer shall contribute a fair share to the Panno Street railroad crossing.
26. The developer shall contribute a fair share to the upgrade/rehabilitation of Lift Station #1.
27. Subdivider shall pay fees to record and process the tentative map and related environmental documents.
28. Subdivider shall adhere to all mitigation measures in the Mitigated Negative Declaration.
29. 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.



© 2018 Google
© 2018 INEGI

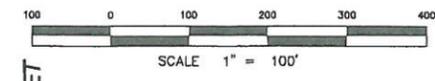
Google Earth

McMILLIN LATIGO RANCH, TRACT 05-01

CITY OF BRAWLEY, CALIFORNIA

NOTE: SET ASIDE FOR S-216 SCHOOL OR TO RELEASE FROM QUALIFICATION FOR SCHOOL SITE BY THE STATE, RESIDENTIAL LOTS 216 THROUGH 272 WILL BE DEVELOPED.

NOTE: SET ASIDE FOR FS-202 FIRE STATION OR TO RELEASE FROM QUALIFICATION FOR FIRE STATION SITE, RESIDENTIAL LOTS 202 THROUGH 205 WILL BE DEVELOPED.

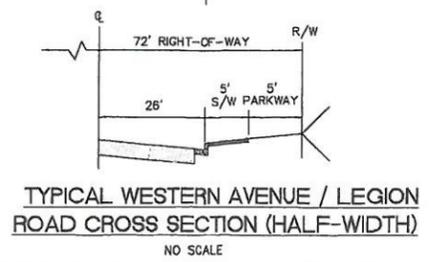
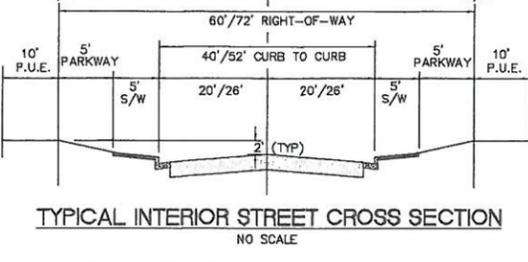
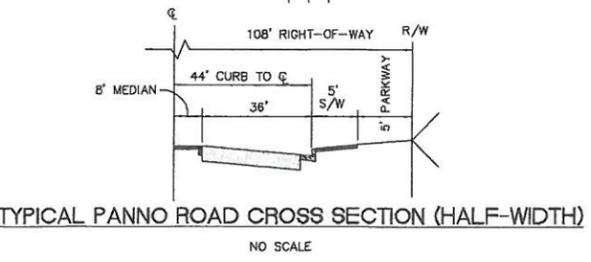


2-C
216-272

Cutting Horse
2-A
106-154

PIATA ST
2-B
155-201

*LOTS 210-213 TO BE GRANTED TO CITY OF BRAWLEY FOR PARK PURPOSES



LEGEND

- PRIVATE IRRIGATION PIPELINE — IRP — IRP —
- STORM DRAIN ————
- WATER MAIN ————
- SEWER ————
- OFFSITE DEDICATION [Hatched Box]

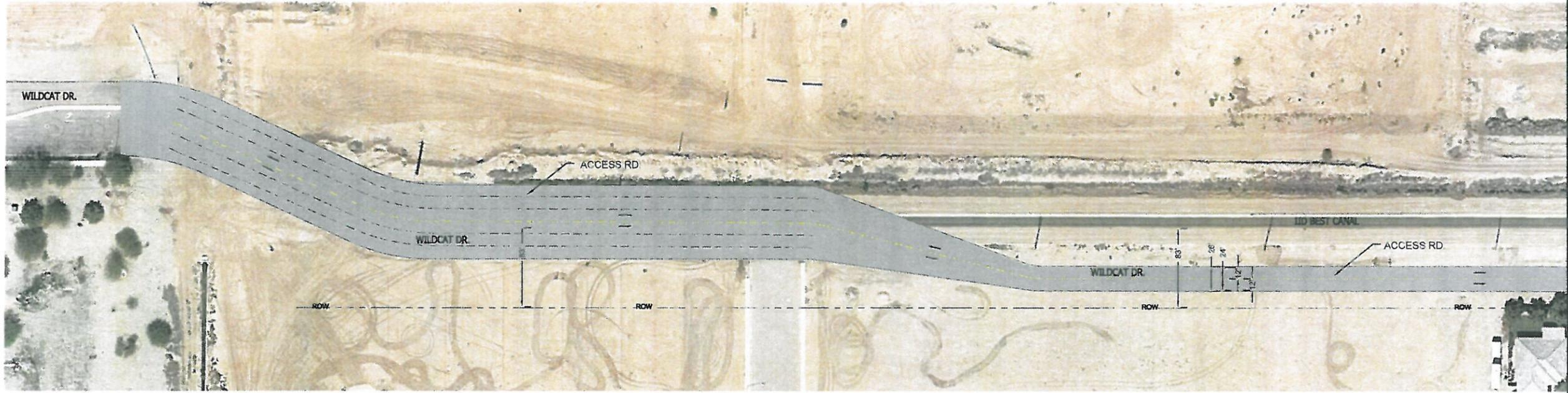
ROBERT C. HAYNES R.C.E. 25593
R.C.E. EXPIRATION DATE: 12/31/05

NASLAND ENGINEERING
4740 RUFFNER STREET
SAN DIEGO, CA 92111
(858) 292-7770

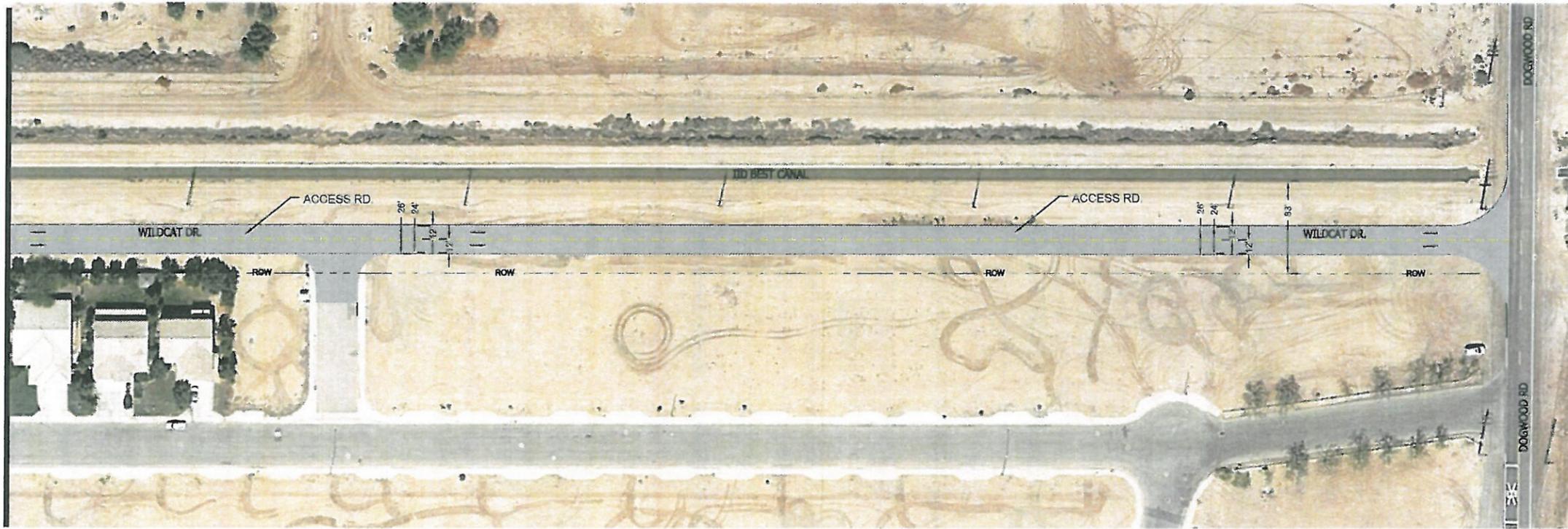
TENTATIVE MAP EXHIBIT 2 OF 2

NASLAND ENGINEERING
CIVIL ENGINEERING - SURVEYING - LAND PLANNING
4740 Ruffner Street, San Diego, California, 92111 • 858-292-7770

REVISION	DATE	BY	PROJECT ENGR.
ORIGINAL	10/25/04	RJR	ROBERT HAYNES
TM SUBMITTAL PLOT	01/03/05	NE	DESIGNED BY: ROBERT J. REINER
ADD SCHOOL SITE	04/09/05	NE	DRAWN BY: ROBERT J. REINER
			SCALE: AS SHOWN
			JOB NO. 104-111.2



MATCHLINE - SEE BELOW



MATCHLINE - SEE ABOVE



HORIZONTAL SCALE IN FEET
1 inch = 50 ft.

NO WORK SHALL BE DONE ON THIS SITE UNTIL BELOW AGENCY IS NOTIFIED OF INTENTION TO GRADE OR EXCAVATE.
Underground Service Alert
Call: TOLL FREE 811
NO WORKING DAYS BEFORE YOU DIG.

NO.	REVISIONS:	APPROVED	DATE

UNAUTHORIZED CHANGES & USES: The engineer preparing these plans will not be responsible for, or liable for, unauthorized changes to or uses of these plans. All changes to the plans must be in writing and must be approved by the preparer of these plans.

www.dynamicoconsultingengineers.com

APPROVED BY: _____
DATE: _____

PREPARED UNDER THE DIRECT SUPERVISION OF: _____
R.C.E. NO. _____
REG. EXP. _____

PROJECT TITLE: LATIGO RANCH SUBDIVISION
WILDCAT DR. ACCESS
BRAWLEY CA

SHEET CONTENT:

SCALE: _____
DRAWN BY: _____
REVISED BY: _____
DATE: DECEMBER 12, 2018

SHEET
1
OF 1 SHEET
JOB NO. _____

Real Estate Security for Improvement Explanation and Back-Up Detail

155 Unit 2 lots tentative map value as is \$25,000 each, \$3,875,000 total.

155 lots value at retail at finished \$60,000 each, \$9,300,000.

155 lots cost to improve to finish lots \$4,650,000.

Need new updated engineer's estimate.

Net equity of finished lots \$4,650,000.

Ask for Deed in Lieu of Bond and subordination for a construction loan conditioned that the developer shall use a fund control thru lender.

Unit 2 shall be mapped and completed in Phases 2A, 2B, and 2C.

Fail safe scenario for City of Brawley:

- 1. If I fail 100%, City takes back and sells to new developer to finish and bond for improvements. City holds first Deed of Trust in first position.**
- 2. Under subordination for construction loan, City is guaranteed the funds are available from lender to complete improvements and funds are not released until job is verified by an independent inspector that work is complete and lien notices/releases are in place then bank release funds for work completed.**

RECORDING REQUESTED BY:

WHEN RECORDED MAIL TO:

Title Order No.:

Space Above This Line For Recorder's Use

SUBORDINATION AGREEMENT

NOTICE: THIS SUBORDINATION AGREEMENT RESULTS IN YOUR SECURITY INTEREST IN THE PROPERTY BECOMING SUBJECT TO AND OF LOWER PRIORITY THAN THE LIEN OF SOME OTHER OR LATER SECURITY INSTRUMENT.

THIS AGREEMENT is made this 8 day of August, 2018, by Morningside Ventures, LLC, owner of the land hereinafter described and hereinafter referred to as "Owner," and the City of Imperial, California, a Municipal Corporation of the State of California, present owner and holder of the deed of trust and Subdivision Agreement obligation first hereinafter described and hereinafter referred to as "Beneficiary".

WITNESSETH

THAT WHEREAS, Martin D. Coyne, LLC, a California limited liability company did execute a deed of trust, to Stewart Title of California, Inc., as trustee, covering property described therein, to secure a Subdivision Agreement obligation in the sum of \$1,710,372.60 dated June 20, 2018, in favor of Beneficiary, which deed of trust was recorded November 14, 2017, as Instrument Number 2017025504 of Official Records of Imperial County; and

WHEREAS, Morningside Ventures, LLC. has executed, or is about to execute, a deed of trust and note in the sum of \$1,884,612.00 dated August 8, 2018, in favor of Sun Community Federal Credit Union, hereinafter referred to as "Lender", payable with interest and upon the terms and conditions described therein, which deed of trust is to be recorded concurrently herewith and which encumbers property described in the attached Exhibit A; and

WHEREAS, it is a condition precedent to obtaining said loan that said deed of trust last above mentioned shall unconditionally be and remain at all times a lien or charge upon the land hereinbefore described, prior and superior to the liens or charges of the deeds of trust first above mentioned; and

WHEREAS, Lender is willing to make said loan provided the deed of trust securing the same is a lien or charge upon the above described property prior and superior to the lien or charge of the deeds of trust first above mentioned and provided that Beneficiary will specifically and unconditionally subordinate the liens or charges of the deeds of trust first above mentioned to the lien or charge of the deed of trust in favor of Lender; and

CLTA Subordination Form "A" - Existing Mortgage to New Mortgage

WHEREAS, it is to the mutual benefit of the parties hereto that Lender make such loan to Owner; and Beneficiary is willing that the deed of trust securing the same shall, when recorded, constitute a lien or charge upon said land which is unconditionally prior and superior to the liens or charges of the deeds of trust first above mentioned.

NOW, THEREFORE, in consideration of the mutual benefits accruing to the parties hereto and other valuable consideration, the receipt and sufficiency of which consideration is hereby acknowledged, and in order to induce Lender to make the loan above referred to, it is hereby declared, understood and agreed as follows:

- (1) That said deed of trust securing said note in favor of Lender, and any renewals or extensions thereof, shall unconditionally be and remain at all times a lien or charge on the property therein described, prior and superior to the liens or charges of the deeds of trust first above mentioned.
- (2) That Lender would not make its loan above described without this subordination agreement.
- (3) That this agreement shall be the whole and only agreement with regard to the subordination of the liens or charges of the deeds of trust first above mentioned to the lien or charge of the deed of trust in favor of Lender above referred to and shall supersede and cancel, but only insofar as would affect the priority between the deeds of trust hereinbefore specifically described, any prior agreement as to such subordination including, but not limited to, those provisions, if any, contained in the deeds of trust first above mentioned, which provide for the subordination of the liens or charges thereof to another deed or deeds of trust or to another mortgage or mortgages.

Beneficiary declares, agrees and acknowledges that

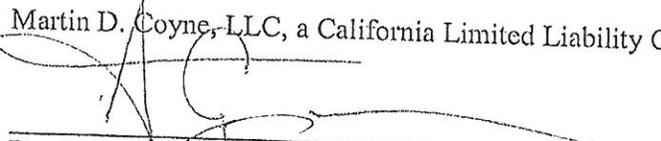
- (a) He consents to and approves (i) all provisions of the note and deed of trust in favor of Lender above referred to, and (ii) all agreements, including but not limited to any loan or escrow agreements, between Owner and Lender for the disbursement of the proceeds of Lender's loan;
- (b) Lender in making disbursements pursuant to any such agreement is under no obligation or duty to, nor has Lender represented that it will, see to the application of such proceeds by the person or persons to whom Lender disburses such proceeds and any application or use of such proceeds for purposes other than those provided for in such agreement or agreements shall not defeat the subordination herein made in whole or in part;
- (c) He intentionally and unconditionally waives, relinquishes and subordinates the liens or charges of the deeds of trust first above mentioned in favor of the lien or charge upon said land of the deed of trust in favor of Lender above referred to and understands that in reliance upon, and in consideration of, this waiver, relinquishment and subordination specific loans and advances are being and will be made and, as part and parcel thereof, specific monetary and other obligations are being and will be entered into which would not be made or entered into but for said reliance upon this waiver, relinquishment and subordination; and
- (d) An endorsement has been placed upon the note secured by the deeds of trust first above mentioned that said deeds of trust has by this instrument been subordinated to the lien or charge of the deed of trust in favor of Lender above referred to.

NOTICE: THIS SUBORDINATION AGREEMENT CONTAINS A PROVISION WHICH ALLOWS THE PERSON OBLIGATED ON YOUR REAL PROPERTY SECURITY TO OBTAIN A LOAN A PORTION OF WHICH MAY BE EXPENDED FOR OTHER PURPOSES THAN IMPROVEMENT OF THE LAND.

OWNER:

Date: 8/10/18

Martin D. Coyne, LLC, a California Limited Liability Company


By: Martin D. Coyne

BENEFICIARY:

Date: 8/8/2018

City of Imperial, California, a Municipal Corporation of the State of California


By: Stefan T. Chatwin, City Manager

EXHIBIT A

Lots 186 thru 249, Inclusive, Mayfield Ranch Unit No. 3A, In the City of Imperial, County of Imperial, State of California, According to Map on file in Book 27, Page 23 of Final Maps in the Office of the County Recorder of Imperial County.

APN's: 044-711-023, 044-711-028, 044-715-001 thru 044-715-028, 044-716-001 thru 044-716-016 and 044-717-001 thru 044-717-014

CLTA Subordination Form "A" - Existing Mortgage to New Mortgage

(ALL SIGNATURES MUST BE ACKNOWLEDGED)

IT IS RECOMMENDED THAT, PRIOR TO THE EXECUTION OF THIS SUBORDINATION AGREEMENT, THE PARTIES CONSULT WITH THEIR ATTORNEYS WITH RESPECT THERETO.

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached and not the truthfulness, accuracy, or validity of that document.

(CLTA SUBORDINATION FORM "A")
(Existing Mortgage to New Mortgage)

STATE OF CALIFORNIA }
COUNTY OF Imperial } S.S.

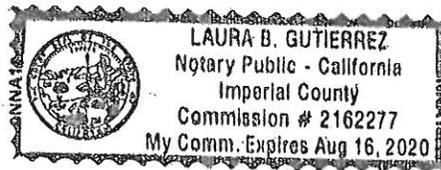
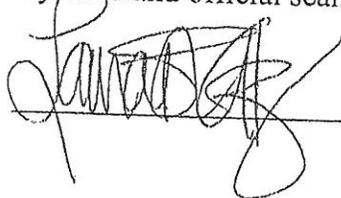
On August 8, 2018 before me, Laura B. Gutierrez, Public Notary,
personally appeared, Stefan T. Chatwin

_____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) (is/are) subscribed to the within instrument and acknowledged to me that (he/she/they) executed the same in (his/her/their) authorized capacity(ies), and that by (his/her/their) signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: _____



(Notary Seal)

CLTA Subordination Form "A" - Existing Mortgage to New Mortgage

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA }
COUNTY OF Imperial } S.S.

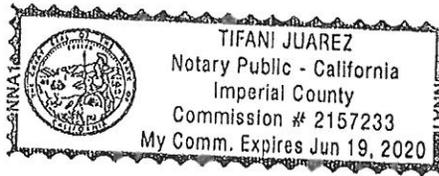
On 8/10/18 before me, Tifani Juarez
personally appeared, Martin D. Coyne

_____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Tifani Juarez



(Notary Seal)

CHUCK STOREY
COUNTY CLERK/RECORDER
CT CHICAGO TITLE

RECORDING REQUESTED BY:
City of Imperial, Planning Department
420 South Imperial Avenue
Imperial, CA 92251

WHEN RECORDED MAIL TO:
City of Imperial, City Clerk
420 South Imperial Avenue
Imperial, California 92251

Doc#: **2016022905**

Titles: 2 Pages: 4
Fees NO FEE



* \$ R 0 0 0 0 2 2 5 0 3 5 \$ *

SPACE ABOVE THIS LINE FOR RECORDER'S USE

SHORT FORM DEED OF TRUST AND ASSIGNMENT OF RENTS

This Deed of Trust is made this 10-3-16, between Martin D. Coyne, herein called TRUSTOR, Chicago Title Company, a California Corporation, herein called TRUSTEE, and the City of Imperial, California, a Municipal Corporation of the State of California, herein called **BENEFICIARY**,

Witnesseth: That Trustor **IRREVOCABLY GRANTS, TRANSFERS AND ASSIGNS TO TRUSTEE IN TRUST, WITH POWER OF SALE**, that property in Imperial County, California, described as follows:

For complete legal description, additional terms and conditions, see exhibit "A" attached hereto. TOGETHER WITH the rents, issues and profits thereof, SUBJECT, HOWEVER, to the right, power and authority given to and conferred upon Beneficiary by paragraph (10) of the provisions incorporated herein by reference to collect and apply such rents, issues and profits.

For the Purpose of Securing: 1. Performance of Subdivision Improvement Agreement for Desert Mirage Unit 5 Subdivision dated 10-3-16, and amended. 2. Payment of the sum of \$977,019 for the faithful performance, labor and materials and monumentation required by the aforesaid Subdivision Improvement Agreement.

To Protect the Security of This Deed of Trust, Trustor Agrees: By the execution and delivery of this Deed of Trust and the note secured hereby, that provisions (1) to (14), inclusive, of the fictitious deed of trust recorded under date, in the book and at the page of Official Records in the office of the county recorder of the county where said property is located, noted below opposite the name of such county, viz:

COUNTY	BOOK	PAGE	COUNTY	BOOK	PAGE	COUNTY	BOOK	PAGE	COUNTY	BOOK	PAGE
Alameda	435	684	Kings	792	833	Placer	895	301	Sierra	29	335
Alpine	1	250	Lake	362	39	Plumas	151	5	Siskiyou	468	181
Amador	104	348	Lassen	171	471	Riverside	3005	523	Solano	1105	182
Butte	1145	1	Los Angeles	T2055	899	Sacramento	4331	62	Sonoma	1851	689
Calaveras	145	152	Madera	810	170	San Benito	271	383	Stanislaus	1715	456
Colusa	296	617	Marin	1508	339	San Bernardino	5567	61	Sutter	572	297
Contra Costa	3978	47	Mariposa	77	292	San Francisco	A332	905	Tehama	401	289
Del Norte	78	414	Mendocino	579	530	San Joaquin	2470	311	Trinity	93	366
El Dorado	568	456	Merced	1547	538	San Luis Obispo	1151	12	Tulare	2294	275
Fresno	4626	572	Modoc	184	851	San Mateo	4078	420	Tuolumne	135	47
Glen	422	184	Mono	52	429	Santa Barbara	1878	860	Ventura	2062	386
Humboldt	657	527	Monterey	2194	538	Santa Clara	5336	341	Yolo	653	245
Imperial	1091	501	Napa	639	86	Santa Cruz	1431	494	Yuba	334	486
Inyo	147	598	Nevada	305	320	Shasha	684	528			
Kern	3427	60	Orange	5889	611	San Diego					

Series 2, Book 1961, Page 183887

FOR A SIGNATURE(S) SEE SHORT FORM DEED OF TRUST SIGNATURE PAGE ATTACHED HERETO AND MADE A PART HEREOF.

SHORT FORM DEED OF TRUST SIGNATURE PAGE

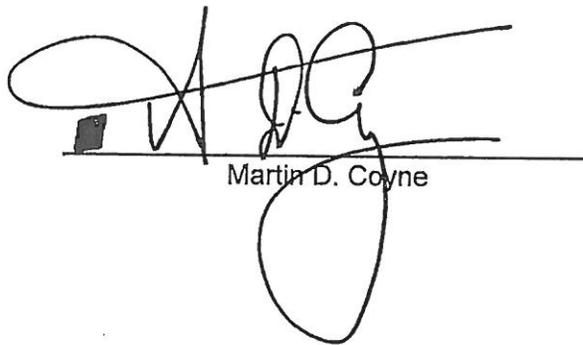
(which provisions, identical in all counties, are printed on the reverse hereof) hereby are adopted and incorporated herein and made a part hereof as fully as though set forth herein at length; that he will observe and perform said provisions; and that the references to property, obligations, and parties in said provisions shall be construed to refer to the property, obligations, and parties set forth in this Deed of Trust.

The undersigned Trustor requests that a copy of any Notice of Default and of any Notice of Sale hereunder be mailed to him at the following address:

Signature of Trustor

Martin D. Coyne

Dated: 10-3, 2016



Martin D. Coyne

EXHIBIT "A"
LEGAL DESCRIPTION

Lots 75 thru 103, inclusive, Lots 109 thru 112, inclusive, and Lots 115 and 116, of Desert Mirage Unit No. 3, in the City of Imperial, County of Imperial, State of California, according to Map on file in Book 24, Page 94 of Final Maps in the Office of the County Recorder of Imperial County and as amended by Certificate of Correction recorded May 8, 2006 as File No. 2006-022682 of Official Records.

ACKNOWLEDGEMENT

A Notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of the document.

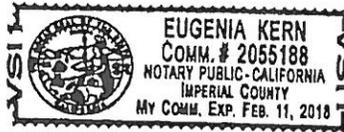
STATE OF CALIFORNIA)
COUNTY OF IMPERIAL)S.S.

On 10/03 2016, before me, Eugenia Kern, Notary Public
Notary Public, personally appeared Martin D. Coyne who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s).or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Eugenia Kern



(Notary Seal)

CITY OF BRAWLEY ANNUAL PLANNING REPORT AND STATUS OF THE GENERAL PLAN 2018

Submitted To:

City of Brawley City Council
383 Main Street
Brawley, California 92227

City of Brawley Planning Commission
383 Main Street
Brawley, California 92227

Governor's Office of Planning and Research
State Clearinghouse and Planning Unit
P.O. Box 3044
Sacramento, California 95812-3044

Department of Housing and Community Development
Housing Policy Division
1800 Third Street, Room 430
Sacramento, California 95814

Prepared By:

City of Brawley Planning Department
205 South Imperial Avenue
Brawley, California 92227

Date Submitted:

March 22, 2019

2018 Annual Planning Report and Status of the General Plan

- I. Executive Summary
- II. City of Brawley Overview
- III. City Council Role and Responsibility
- IV. Planning Commission Role and Responsibility
- V. Development Review Committee
- VI. Planning Division Role and Responsibility
- VII. Land Use Permits
- VIII. General Plan Update
- IX. Housing Element Progress

I. EXECUTIVE SUMMARY

The annual planning report and status of the General Plan for the calendar year 2018 is hereby submitted to the City of Brawley City Council, Planning Commission, and State Office of Planning and Research (OPR).

During the 2018 Calendar Year, the staff, the Planning Commission, and the City Council addressed a variety of challenging and progressive land-use related projects and/or issues. New applications are steady and consistent with last year's levels. Again, there was an increase in residential developments, some that were already entitled and require no further land use applications.

As Director of the Development Services Department, I sincerely thank the City Council and the Planning Commission for their assistance and support in my sixteenth full year with the City of Brawley. A sincere thank you is also given to the staff of the Planning Department, Community Development Services, and Public Works Department for their coordination and assistance in carrying out the year's projects. A particular thank you is also given to the members of the Development Review Committee (DRC) for working with the Planning Department on all the projects listed herein.

Gordon R. Gaste, AICP CEP

Development Services Director

II. CITY OF BRAWLEY OVERVIEW

The City of Brawley, incorporated April 6, 1908, is located in the southeast corner of the State of California, in the agriculturally rich Imperial Valley.

Brawley is located 210 miles southeast of Los Angeles, 290 miles southwest of Las Vegas, Nevada, 120 miles east of San Diego, 60 miles west of Yuma, Arizona, and 23 miles north of Mexicali, Baja California, Mexico.

Brawley's climate is characterized as arid with hot summers and mild winters. The City lies 113 feet below sea level and receives approximately 3 inches of rain per year. The average annual temperature is 73.2 degrees. Brawley also has more days of sunshine per year than San Diego making the area ideal for outdoor recreation.

Brawley's 2018 California Department of Finance population figures estimate 27,417 residents. The City encompasses 8.09 square miles giving the city a population density of 3,389 persons per square mile.

III. CITY COUNCIL ROLE AND RESPONSIBILITY

The City of Brawley is a General Law City operating under the laws of the State of California. There are five (5) Council members elected at large who serve four-year terms. This Council is the community legislative body. It sets policies, approves the budget, and determines tax rates.

2018 Brawley City Council

Donald L. Wharton (Mayor)

Norma Kastner-Jauregui (Mayor Pro-Tempore)

Sam Couchman

Luke Hamby

George A. Nava

IV. PLANNING COMMISSION ROLE AND RESPONSIBILITY

California Government Code, Section 65101, authorizes the creation of a Planning Commission by the City Council. The Planning Commission consists of seven (7) members, appointed by City Council for a term of four years.

One of the Planning Commission's primary roles is to prepare and recommend to the City Council, a comprehensive, long-term general plan for the physical development of the City. The Planning Commission also rules on matters from individual citizens pertaining to the enforcement of zoning.

2018 Brawley Planning Commission

Jay Goyal (Chairman)

Kevan Hutchinson (Vice Chairman)

Eugene Bumbera

Ramon Castro

George A. Marquez

Robert Palacio

Darren Smith

V. DEVELOPMENT REVIEW COMMITTEE ROLE AND RESPONSIBILITY

The Development Review Committee (DRC) is an internal decision-making body that consists of six (6) voting members representing the following departments and divisions:

- Development Services (2):
 - Building Division
 - Planning Division
- Public Works
- Police
- Fire

The Committee also consists of advisory members to include the following:

- Administrative Services
- Library
- Parks and Recreation
- Brawley Airport Advisory Commission
- Utilities (Imperial Irrigation District, Southern California Gas Company, Time/Warner Communications, AT&T, Union Pacific Railroad, Imperial Valley Telecommunications Authority)
- School Districts (Brawley Union High School District and Brawley Elementary School District)
- California Department of Transportation (CALTRANS) District 11
- California Fish & Game Region 6
- County of Imperial (LAFCO/ALUC/Planning & Development Services, Air Pollution Control District)
- Naval Air Facility – El Centro

The Department Heads serve on the committee or may choose alternates to represent their departments.

The role of the DRC is to make recommendations and decisions on projects subject to the California Environmental Quality Act (CEQA) and projects requiring close coordination with other agencies. It also approves site plans and adjustment plats not requiring a zone change, general plan amendment, conditional use permit, variance, or subdivision.

VI. PLANNING DIVISION ROLE AND RESPONSIBILITY

Planning is an approach to problem solving, a process to formulate future plans and ordinances, ensuring full public participation, and providing all advisory bodies (e.g., Planning Commission) and the legislative body (City Council) with the necessary information to make intelligent and informed decisions.

Through the California Constitution, the State has delegated the responsibility of implementing local policies and development to each City through the City General Plan.

Some of the specific functions of the Planning Division are to revise the General Plan, made up of seven (7) mandatory elements and one (1) optional element, review of specific plans, amending the General Plan, keeping the Zoning and Subdivision Ordinances current through amendments thereto, handling Conditional Use Permits, Specific Plans, Zone Changes, Variances, Major/Minor Subdivisions (Tract Maps/Parcel Maps), Site Plans, Adjustment Plats (Lot Line Adjustments, Lot Mergers) and Certificates of Compliance among others. The Planning Division also works with other city departments, providing administrative and technical assistance to their projects.

One of the necessary functions of the review for any project submitted to the Planning Division is the California Environmental Quality Act (CEQA) application. Through the preparation of an "Initial Study", the City determines whether or not a particular project may create a significant impact on the environment.

Policies of the General Plan and city ordinances must be consistently applied across the board without regard as to who the applicant is and what the project may be.

Planning Division Staff

Gordon R. Gaste, AICP CEP, Development Services Director

Andrea Montano, Planning Technician

VII. LAND USE PERMITS

The City of Brawley processed a significant number of land use applications. The applications have remained stable for the last four years.

Below are brief definitions of the various permits, standard procedures, and the number of permits processed during the 2018 Calendar Year. The definitions are not comprehensive; therefore, they should only be used as a reference.

Subdivision: Generally, a subdivision is any division of land for the purpose of sale, lease, or financing and is governed by the State Subdivision Map Act (Government Code, Section 66410).

Major Subdivision: With a few exceptions, a major subdivision is the division of five or more lots. During the 2018 Calendar Year, the Planning Department processed 0 Major Subdivision applications.

Minor Subdivision: A minor subdivision consisting of four or fewer parcels that requires a parcel map. During the 2018 Calendar Year, the Planning Department processed 2 Minor Subdivision applications.

Zone Change: Zoning is a state-mandated requirement and all properties within the City are classified into various zones or “zoning districts.” Zoning regulations establish groups of permitted uses that vary from district to district. If a property owner desires to conduct a land use upon his property that is not permitted in the existing zoning district, he or she may apply for a Zone Change. During the 2018 Calendar Year, the Planning Department processed 1 Zone Change application.

Conditional Use Permit: A procedure established whereby an applicant can request a certain land use to be permitted in an area in which it is not usually permitted by the Zoning Ordinance, and where such uses are deemed essential or desirable to the public convenience and welfare, and are compatible with the various elements or objectives of the General Plan. During the 2018 Calendar Year, the Planning Department processed 5 Conditional Use Permit applications.

Variance: A procedure established by state law and the ordinances of the City of Brawley whereby an applicant can request a deviation from the provisions of the minimum property development standards established relating to building height, lot area, structural coverage, building setbacks, or accessory structures (e.g., carports, signs). During the 2018 Calendar Year, the Planning Department processed 2 Variance applications.

Adjustment Plat: Lot Line Adjustment and Lot Merger. These are required to adjust property lines between adjacent parcels when no new parcels are created. During the 2018 Calendar Year, the Planning Department processed 1 Adjustment Plat application.

General Plan Amendment: During the 2018 Calendar Year, the Planning Department processed 1 General Plan Amendment application.

Site Plan Review: A procedure for review of site-specific requirements for a project. A site plan review may be an ordained requirement or mandated by a condition of approval. During the 2018 Calendar Year, the Planning Department processed 3 Site Plan Review applications.

Cumulatively, the Planning Department processed 16 land use permit applications for the 2018 Calendar Year. This is comparable to the last four year's numbers and the same as last year's total.

VIII. THE GENERAL PLAN UPDATE

The City of Brawley, in 2008, prepared a revised General Plan that serves to guide future development. The Housing Element was last updated in 2013 and is being implemented to achieve regional housing needs.

The objective of the General Plan is to promote orderly growth and development and to maintain and improve the kind of environment that makes Brawley an excellent place to live, work, and enjoy leisure time. The General Plan contains information on the physical, economic, and social environment of Brawley.

The California Government Code requires that the plan be long-term, clearly written, comprehensive, and the policies of the plan must be internally consistent.

The City of Brawley General Plan is an official statement by the City Council. It can be viewed as the constitution for the City's physical development, for the protection of the environment, and for the enhancement of the quality of life in Brawley. It is used by the Planning Commission and City Council to support their decisions on major land use, zoning, and future public/private projects. The General Plan policies and programs shall also provide information and guidance to the general public. In context, the General Plan addresses the following mandatory plans and other optional elements:

- Land Use Element
- Infrastructure Element
- Resource Management Element
- Open Space/Recreation Element
- Public Safety/Noise Element
- Economic Development Element
- Housing Element
- Implementation Element

The City adopted a Non-Motorized Transportation Plan in May 2013.

The Water Master Plan was adopted in September 2012

The Wastewater Master Plan was adopted in May 2013.

A Climate Action Plan has been completed to the State's requirements and is ready for adoption by the City at any time the City Council deems appropriate.

IX. HOUSING ELEMENT PROGRESS

This report contains the data from the new 2013-2021 Housing Element.

Tables A, A2, B, C, D E and F are available for viewing at the Planning Division located at 205 S. Imperial Avenue, Brawley, CA 92227 from 8 A.M. to 12 P.M. and 1 P.M. to 5 P.M.