

PLANNING COMMISSION

Kevan Hutchinson, Chairman Darren Smith, Vice-Chairman

Eugene Bumbera

Jay Goyal

George A. Marquez

Ramon M. Sagredo

Robert Palacio

AGENDA

PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, AUGUST 5, 2015 AT 5:30 P.M.
CITY COUNCIL CHAMBERS
383 MAIN STREET
BRAWLEY, CALIFORNIA

- 1. CALL TO ORDER / ROLL CALL
- 2. APPROVE AGENDA
- 3. APPROVE MINUTES OF JUNE 3, 2015
- 4. PUBLIC APPEARANCES

The Planning Commission encourages citizen participation on all matters presented for their consideration. Members of the public who wish to speak on an issue that is not on the agenda may do so during the "Public Appearances" section at any meeting. The Planning Commission does not take action on items presented under Public Appearances.

PUBLIC HEARINGS

5. An application for a parcel map (CUP15-01) to allow for the subdivision of the current parcel into four parcels in order to construct four single family dwellings.

Applicant:

Raul Garcia

Garcia Construction, Inc.

P.O. Box 1529

Brawley, CA 92227

Location:

1585 Jones Street, more particularly described as Lot 6 of Map

Annexation No. 43, Replat Subdivision of a portion of Lots 11 and 12 Tract 77, Township 13 South, Range 14 East, City of Brawley, County of

Imperial, State of California, APN 047-073-029

6. An application for a site plan (SP15-04), conditional use permit (CUP15-02), zone change (ZC15-01) from M-1 (Light Manufacturing) to R-3 (Medium Density Residential), and a general plan amendment (GPA15-01) changing the land use designation from light manufacturing to medium density residential to allow for a 56 unit senior apartment complex. The conditional use permit is for the use of a Density Bonus..

Applicant: Barbara G. Ruane

P.O. Box 675826

Rancho Santa Fe, CA 92067

Location: 151 and 205 South Eastern Avenue, more particularly described as the west 150 feet of the north 210 feet and the South 194 feet of the north 210 feet of the east 159.8 feet of Lot 4, and a Portion of Lot 5, Block 126, Townsite of Brawley, City of Brawley, County of Imperial, State of California, APN 049-060-016, 039 & 040

REGULAR BUSINESS

- 7. CLIMATE ACTION PLAN GRANT SUMMARY
- 8. ZONING CODE ENFORCEMENT
- 9. NEXT MEETING DATE
- 10. ADJOURNMENT

DRAFT June 3, 2015

The Planning Commission of the City of Brawley, California, met in Regular Session at 5:30 p.m., City Council Chambers, 383 Main Street, Brawley, California, the date, time, and place duly established for the holding of said meeting. The City Clerk attests to the posting of the agenda pursuant to G.C. 54954.

CALL TO ORDER/ROLL CALL

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

Present: Bumbera, Goyal, Hutchinson, Marquez, Palacio, Smith

Absent: Sagredo

2. APPROVAL OF AGENDA

Motion: The Planning Commission approves the agenda as presented. m/s/c Goyal/Smith 6-0

3. APPROVAL OF MINUTES

Motion: The Planning Commission approves the minutes of February 4, 2015 as presented. m/s/c Smith/Bumbera 6-0

4. PUBLIC APPREARANCES

Chairman Hutchinson called for Public appearances. There were none.

5. ZONING CODE ENFORCEMENT

Francisco Soto, Building Official for Community Development Services, gave summary of current code enforcement actions on various buildings, vacant lots, banners and signs. He mentioned an possible unlicensed car repair business operating from a residential lot near North Best Avenue. He will revisit the property to ensure compliance.

Mr. Soto gave a report regarding the enforcement of the placement and time limit of various banner and flag signs throughout the City.

He also gave a report regarding a mobile car wash business that has been reportedly running water into the City's gutters. This is prohibited by ordinance and will track down the owner of the business to ensure a business license is valid and that they are adhering to the ordinance regarding the wasting of water.

The topic of illegal RV parking in the Citrus View Subdivision was discussed. The Police Department will be advised and will monitor if the vehicle is parked beyond the timeframe permitted.

NEXT MEETING DATE

Due to lack of items for the July meeting, the Commission adjourned to the next regular meeting on Wednesday, August 5, 2015.

8. ADJOURNMENT

Motion: The meeting of the Planning Commission adjourned at 6:01 p.m. /s/c Smith/Marquez 6-0

PLANNING COMMISSION STAFF REPORT

Minor Subdivision: PM15-01 (Parcel Map) - Northwest Corner of North Eastern

Avenue and Jones Street

Property Owner/

Applicant:

Raul Garcia, Garcia Construction, Inc.

Representative:

Raymond Todd Dial, RTD Consulting

Legal Description: Lot 6 of Map Annexation No. 43, Replat Subdivision of a portion of Lots 11 and 12 Tract 77, Township 13 South, Range 14 East, City of Brawley, County of Imperial, State of California, APN 047-073-

029

Location:

1485 Jones Street

Area:

Total:

0.63 Acres (27,500 Square Feet)

Zoning:

R-1 (Residential Single Family)

Existing Use: Vacant

Proposed Use: Four Single Family Dwellings

Surrounding Land Uses:

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

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

East - M-1 (Light Manufacturing) / Fire Station & Plumbing Service-Supply

West- R-1 (Residential Single Family / Church

General Plan Designation: Low Density Residential

CEQA Status:

Exempt

Minor Subdivision: PM15-01

General Information:

The parcel map was submitted in order to subdivide the current parcel into four parcels in order to construct four single family dwellings. The property is currently zoned R-1 (Residential Single Family). The site is currently vacant and is 0.63 acres in size. Access is proposed via North Eastern Avenue. 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 develop shall bore under North Eastern Avenue to connect to the water and sewer connections.

The recommendation is based on the following findings:

- 1. The proposal is exempt from CEQA pursuant to Sections 15301(a), 15315 and 15332.
- 2. The location of the project and surrounding land uses make it unlikely the project will cause significant environmental impacts.
- 3. Approval of the parcel map will not be detrimental to the public welfare or detrimental to the health and safety of the residents of the City of Brawley.
- 4. The tentative parcel map is consistent with the character of the area for that type of land use.
- 5. The size of the new parcels is consistent with the Zoning ordinance.
- 6. The size of the new parcels is consistent with the General Plan.
- 7. The Parcel Map was performed in compliance with the Subdivision Map Act and Subdivision Ordinance requirements.

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

R-1 (Residential Single Family) zoning permits single family dwellings by Right.

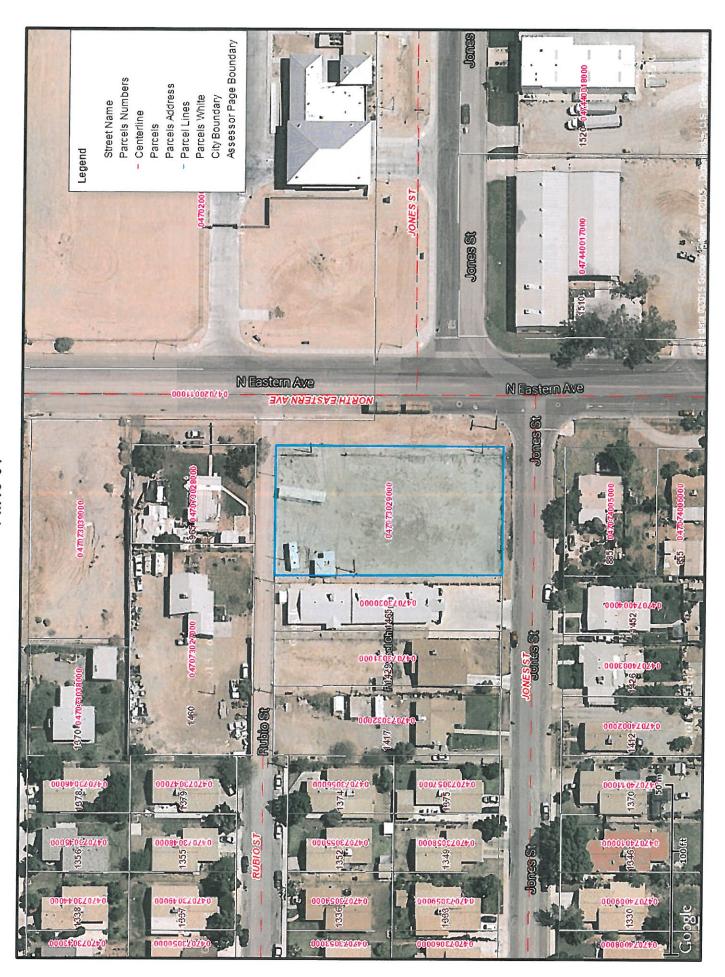
Minor Subdivision: PM15-01

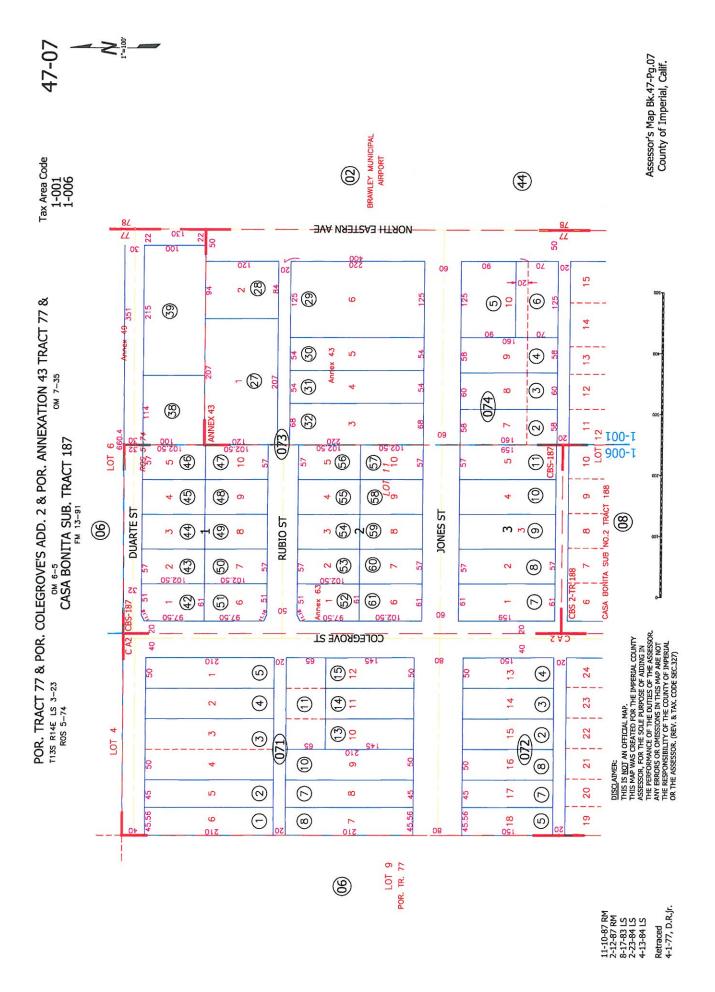
The Commission must determine the following:

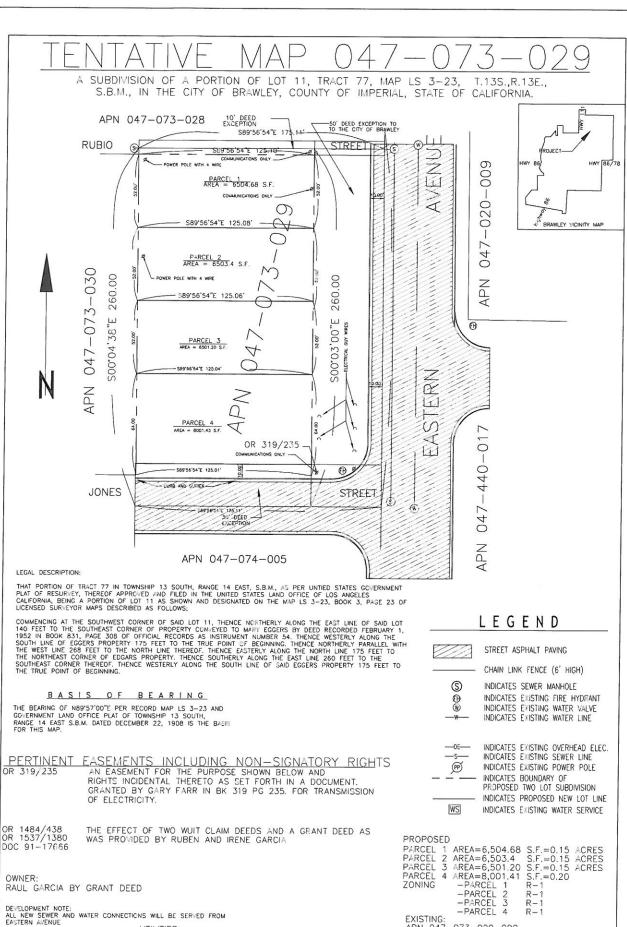
- A. The proposed Parcel Map protects the best interest, health, safety and welfare of the public in general.
- B. The proposed Parcel Map complies with all of the standards and conditions applicable in the zoning district in which it is proposed to be located; complies with any special standards applicable 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 provides adequate landscaping and/or screening where needed to reduce visibility to adjacent uses.
- H. The proposed Parcel Map is compatible with adjacent structures and uses.
- I. The Parcel Map is not materially detrimental to the enjoyment or valuation of the property adjacent to the site.

ATTACHMENT: Location Maps; Proposed Parcel Map.

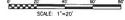
NOTE TO THE PROPERTY OWNER: PLANNING COMMISSION POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE PLANNING DEPARTMENT AT (760) 344-8822.







UTILITIES:



OTILITIES:

GAS—THE GAS COMPANY
WATER—CITY OF BRAWLEY
ELECTRICITY — IID
SEWER—CITY OF BRAWLEY
CABLE—TIMEWARNER CABLE
TELEPHONE—AT&:T

DEVELOPER NOTE:
NO PROPOSAL OF IMPROVEMENTS
ALL STRUCTURES SHOWN HEREIN
ARE EXISTING AND THERE IS NO
PROPOSAL OF NEW IMPROVEMENTS

APN 047-073-029-000 AREA=27510.69 S.F.=0.63 ACRES ZONED - R-1

PLANNING COMMISSION STAFF REPORT

Site Plan/Zone Change/ General Plan Amendment/

Conditional Use Permit: SP15-04/ZC15-01/GPA15-01/CUP15-02

Brawley Senior Apartments

Property Owner: Barbara G. Ruane

Applicant/

Representative: Cameron Johnson, AMG Associates, LLC

Legal Description: West 150 of the North 210 feet and the South 194 feet of the North 210 feet of

the East 159.8 feet of Lot 4, and a Portion of Lot 5, Block 126, Townsite of Brawley, City of Brawley, County of Imperial, State of California, APN 049-060-

016, 039 & 040

Location: 151 and 205 South Eastern Avenue

Area: Total: 2.44 Acres (106,286 Square Feet)

Parcel 1: 1.06 Acres (46,174 Square Feet)
Parcel 2: 0.67 Acres (29,185) Square Feet
Parcel 3: 0.71 Acres (30,928) Square Feet

Existing Zoning: M-1 (Light Manufacturing)

Proposed Zoning: R-3 (Residential Medium Density)

Existing Use: Vacant

Proposed Use: Senior Apartments

Surrounding Land Uses:

North - C-3 (Heavy Commercial) / Retail Store

South - M-1 (Light Manufacturing) / Single Family Dwellings

East - R- 3 (Residential Medium Density) / Apartments

C-2 (Medium Commercial) / Single Family Dwellings

West- M-1 (Light Manufacturing) / Farm Equipment Sales & Rental

Current General Plan Designation: Light Industrial

Proposed General Plan Designation: Medium Density Residential

CEQA Status: Exempt per Sections 15194, 15195 and 15332

PLANNING COMMISSION HEARING, AUGUST 5, 2015, 5:30 P.M., CITY COUNCIL CHAMBERS, 383 MAIN STREET, BRAWLEY, CALIFORNIA

Site Plan/Zone Change/General Plan Amendment/Conditional Use Permit: SP15-04/ZC15-01/GPA15-01/CUP15-02

General Information:

The applicant is submitting a site plan requesting a rezoning to R-3 (Residential Medium Density) and a General Plan amendment changing the land use to Medium Density Residential in order to permit 56 senior apartments. The property is currently zoned M-1 (Light Manufacturing). The site is currently vacant and is 2.44 acres in size. Access is proposed via South Eastern Avenue and the alley adjacent thereto; 74 parking spaces are provided. The applicant will also be requesting a Density Bonus for providing low income and senior housing which will also require a conditional use permit and agreement. There are no zoning conditions currently imposed on this property.

Staff Recommendation:

If approved, the Planning Department recommends that the following conditions shall apply:

- 1. Landscaping will be required as per Sec. 27.180 of the Zoning Ordinance.
- 2. Hydraulics, drainage and grading details to City standards provided to the City Engineer. The percentage of retention shall be determined by the City Engineer per current discharge amount and the amount of pervious surface that will be eliminated.
- 3. Applicant/Property Owner shall obtain an encroachment permit from the Department of Public Works for any new, altered or unpermitted driveways necessary to access each of the parcels from a public street.
- 4. The public alley between the north and south portions of the project will be used as a driveway; therefore, it shall be improved and maintained to City standards.
- 5. Provide sewer and water, curb and gutter, sidewalk, street and other improvements to City standards before City issues certificate of occupancy for any structure for each parcel.
- 6. A lot merger of the two southern parcels shall be required prior to issuance of building permits. 7.A block wall shall not less than five feet and not greater than six feet shall be required on the north, west and south side of the property per Sections 27.84(c) and 27.94(c) of the Zoning Ordinance. The east side of the property shall have a wrought iron, masonry or combined fence.
- 8. A Density Bonus Agreement shall be required for the project. A thirty-five percent (35%) density bonus is allowed by the developer by providing low income senior apartments. The developer is requesing two (2) incentives:
- a. The developer is requesting a waiver for the requirement for a tot lot due to the housing being senior in nature. There will be a pool and a community garden which are not required by the zoning ordinance.
- b. The maximum height of a building in an R-3 zone is 35 feet. The developer is requesting the height be allowed at 40 feet 7 inches.
- 9. Applicant/Property Owner shall defend, indemnify, and hold harmless the City of Brawley, or its agents, officers and employees from any claim, action or proceedings against the City or its agents, officers, or employees to attack, set aside, void or annul, an approval by the Development Review Committee, Planning Commission or City Council concerning the project. The City of Brawley shall promptly notify the applicant of any claim, action or proceedings and shall cooperate fully in the defense.
- 10. The applicant shall pay any and all amounts as determined by the city to defray all costs for the review of reports, field investigations, or other activities related to compliance with this permit/approval, city ordinance and/or any other laws that apply. This include any applicable Development Impact Fees, Capacity Fees, Plan Check and/or Inspection Fees, Air Pollution Control District (APCD) Fees, Environmental Filing Fees and Building Permit Fees.
- 11. The applicant shall comply with all local, state and/or federal laws, rules, regulations and/or standards as they may pertain to this project, whether specified herein or not.
- 12. 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.

<u>Site Plan/Zone Change/General Plan Amendment/Conditional Use Permit:</u> SP15-04/ZC15-01/GPA15-01/CUP15-02

The recommendation is based on the following findings:

- The proposal is exempt from CEQA review per Sections 15194 (Affordable Housing Exemption), Section 15195 (Residential Infill Exemption) and Section 15332 (In-Fill Development).
- 2. The location of the project and surrounding land uses make it unlikely the project will cause significant environmental impacts.
- 3. Approval of the site plan will not be detrimental to the public welfare or detrimental to the health and safety of the residents of the City of Brawley.
- 4. With a zone change and General Plan amendment, the project would be consistent with the character of the area for that type of land use.
- 5. The site plan meets the standards of Article XVII and Section 27.182 of the Brawley Zoning Ordinance.

The Brawley General Land Use Map currently designates this property for Light Industrial land use. Medium Density Residential land use is required for the intended use.

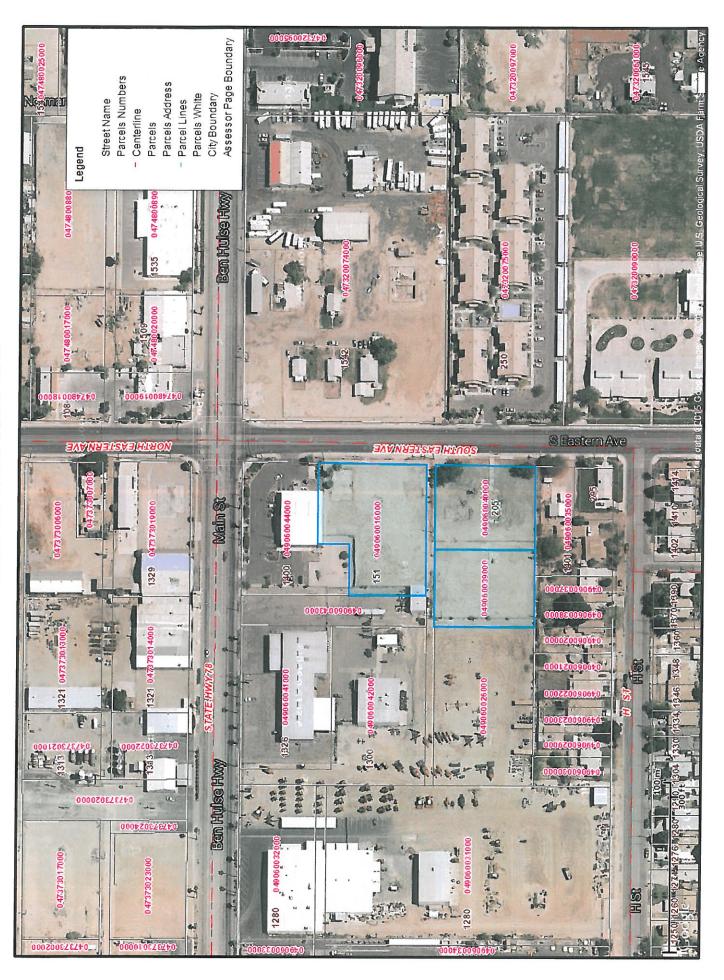
Current M-1 (Light Manufacturing) zoning permits does not permit the intended use. R-3 (Residential Medium Density) zoning is required for Senior Apartments. The use of Density Bonus also requires a Conditional Use Permit.

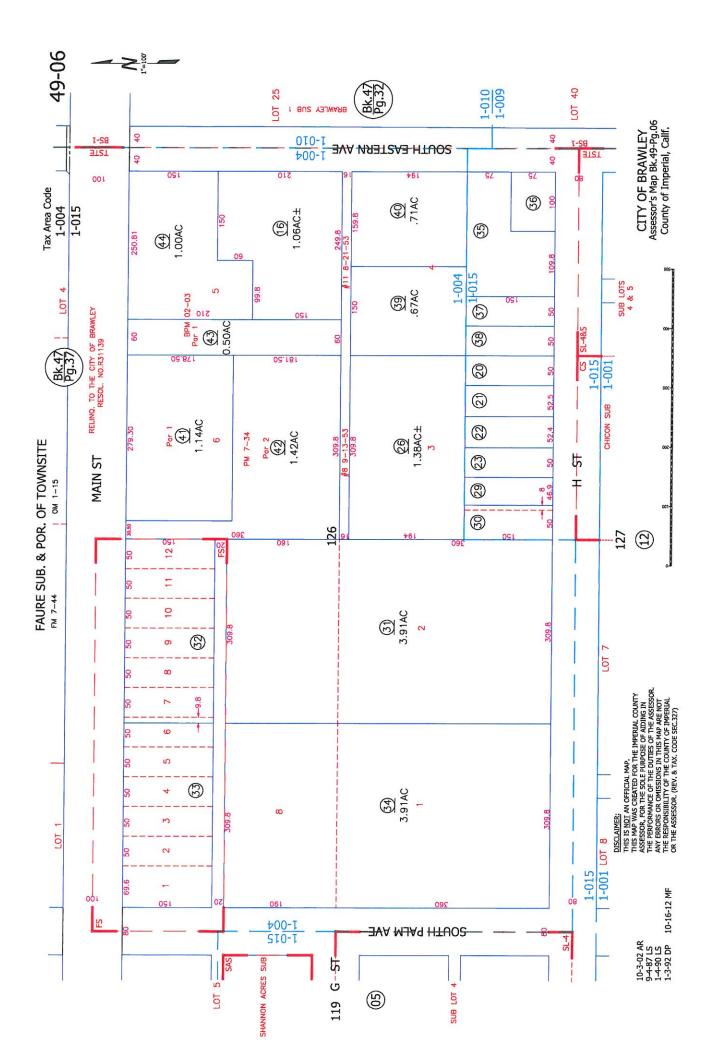
The Commission must determine the following:

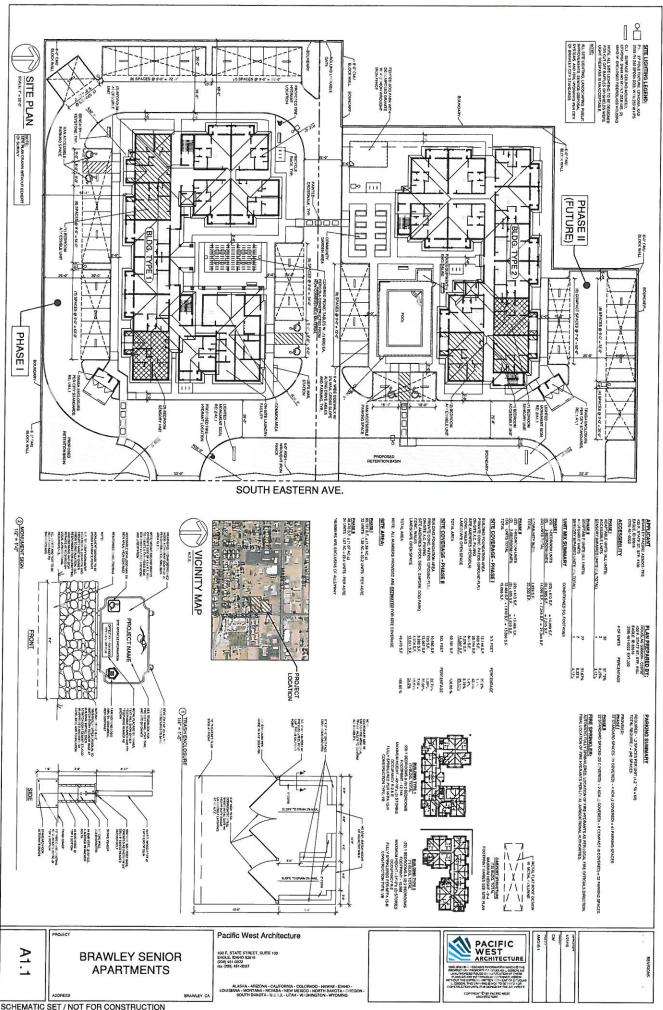
- A. The proposed Site Plan/Zone Change/General Plan Amendment/Conditional Use Permit protects the best interest, health, safety and welfare of the public in general.
- B. The proposed Site Plan/Zone Change/General Plan Amendment/Conditional Use Permit complies with all of the standards and conditions 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 Site Plan/Zone Change/General Plan Amendment/Conditional Use Permit 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 Site Plan/Zone Change/General Plan Amendment/Conditional Use Permit 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 Site Plan/Zone Change/General Plan Amendment/Conditional Use Permit on adjacent property are adequately mitigated with the design, proposed construction and phasing of the site development.
- F. The design of the Site Plan/Zone Change/General Plan Amendment/Conditional Use Permit mitigates substantial environmental problems.
- G. The proposed Site Plan/Zone Change/General Plan Amendment/Conditional Use Permit provides adequate landscaping and/or screening where needed to reduce visibility to adjacent uses.
- H. The proposed Site Plan/Zone Change/General Plan Amendment/Conditional Use Permit is compatible with adjacent structures and uses.
- I. The Site Plan/Zone Change/General Plan Amendment/Conditional Use Permit is not materially detrimental to the enjoyment or valuation of the property adjacent to the site.

ATTACHMENT: Location Maps; Site Plan; Elevations.

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BRAWLEY SENIOR APARTMENTS

Enter address here

BRAWLEY CA

Pacific West Architecture

430 E. STATE STREET SUITE VIO EAGLE, IDAHO 83616 (200: 461-1/22 fax (236) 461-3267

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WALES COM AMOUST



PROJECT

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BRAWLEY SENIOR APARTMENTS

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BRAWLEY, CA

Pacific West Architecture

430 E. STATE STREET. SUITE 100 EAGLE, IDAHO 83616 (205) 461-0022 fax (205) 461-3267

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