



Staff Report

Agenda Item No. C-1

To: City of Imperial Planning Commission

From: Othon Mora, Community Development Director

Date: January 19, 2024

Subject: General Plan Amendment and Zone Change 21-02 for Fonzie Apartments

Summary:

Applicant:	Ray Roben
Project Location:	Fonzie Apartments APN 044-200-098
Pending Action:	General Plan Amendment and Zone Change
General Plan:	Existing: Low Medium Density Residential Proposed: High Density Residential
Current Zoning:	R-1 Residential Single-Family
Proposed Zoning:	RA Residential Apartment (2.38 acres)
Environmental:	CEQA Exemption 21159.23 for Affordable Housing
Recommendation:	Recommend Planning Commission approval of General Plan Amendment and R-1 to RA Zone Change

Background/Discussion and Analysis

Ray Roben, the Applicant and property owner, is requesting approval of a General Plan Amendment and Change of Zone 21-02 to allow for the construction of a proposed 64-unit apartment complex on APN 044-200-098 located at the corner of Fonzie Avenue and Cross Road. Mr. Roben submitted an application and a Draft Initial Study and Draft Local Transportation Assessment in 2021. Due to the pending finalization of the City of Imperial's Transportation Study Guidelines using Vehicle Miles Traveled as a screening tool to determine the traffic impacts of new projects, the project was put on hold.

In order to streamline the construction of housing projects in California, the Legislature has created California Environmental Quality Act (CEQA) statutory exemptions for housing projects. Additionally, the Office of Planning and Research and Natural Resources Agency have streamlined regulations for certain classes of projects-such as small housing developments and infill housing - that typically do not have substantial impacts on the environment. Public Resource Code, Section 21159.23 – Affordable Housing Exemptions states that CEQA does not apply to any development project that meets the following criteria:

- Maximum of 100 units
- Up to 5 acres
- Population density/total criteria
- Affordable to lower-income for at least 30 years
- Previously developed with urban uses or surrounded on 75% by urban uses

Mr. Roben revised the project description and resubmitted an application in September 2023 to take advantage of the streamlined CEQA exemption process and classified the project as an affordable housing family apartment community. Ministerial review of the project has determined that the project qualifies for the exemption from the CEQA review process.

The project site is currently zoned as R-1 Residential Single Family. A change in zoning to RA – Residential Apartment Zone would occur as part of this project. The RA zone is intended as an area for the development of residential apartments with provisions for adequate light, air, open space, and landscaped areas at a maximum density of 30 units per net acre.

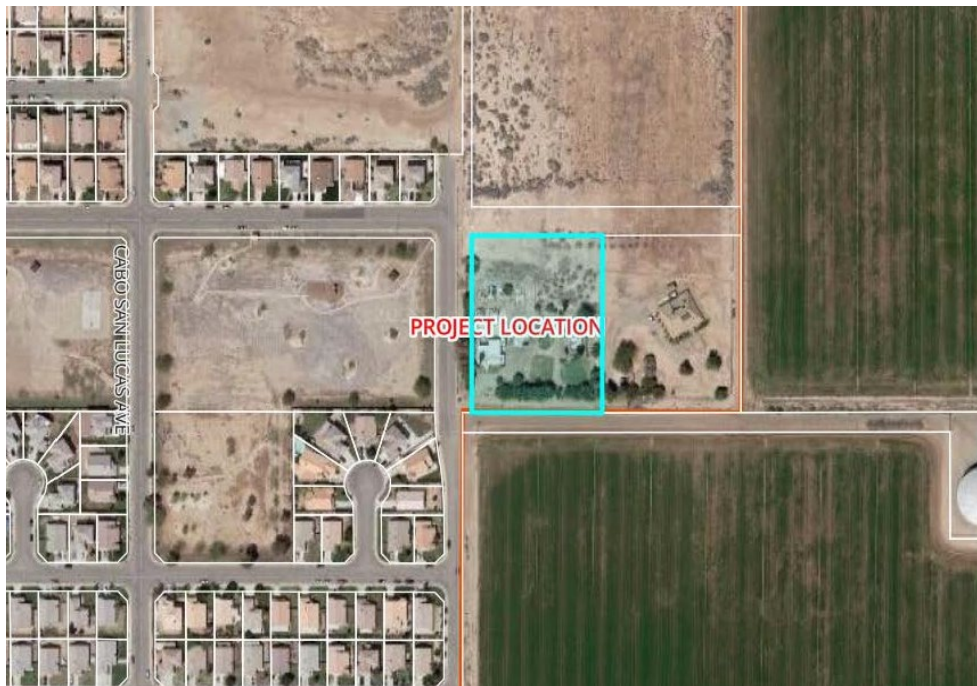
The proposed zone change is in conformity with the City's General Plan and with the City's development policies. The proposed project has been reviewed by the Development Review Committee and concluded the project generally meets development standards and does not present to be a detriment to adjacent properties or residents. Departmental comments and requirements are detailed in the conditions of approval.

The Imperial County Fire Department (ICFD) addressed the review of any impact that creates a negative effect on the ICFD and/or the City of Imperial to be addressed between the agencies and the Developer. Additional conditions resulting from the evaluation may include, but are not limited to a capitol purchase, training or a fiscal cost. In order to move forward with the project, the developer signed the conditions of approval, but does not agree that an additional capital purchase or fiscal cost should be conditioned when he is already subject to paying impact fees. Staff is requesting the Planning Commission consider recommending the project without the imposed condition. It is staff's recommendation that the governing body consider options in the budget process, explore a variety of grants and other funding sources available pertaining capital expenditure purchases.

The first public hearing scheduled on December 13, 2023 was continued to January 24, 2024, as Planning Commissioners instructed staff to meet with the Imperial Unified School District (IUSD) staff and publish the public hearing notice in the Desert Review Newspaper for more noticing exposure. Staff met with Bryan Thomason, IUSD Superintendent, Javier Ramos, Imperial Cross School Elementary Principal and Gina Hendrix, IUSD Associate Superintendent, to discuss the project and their concerns on January 3, 2024. They informed City staff that they would officially declare their opposition to the project with a resolution to be provided at a later date. Staff received IUSD's Resolution 23-24-06 on January 17, 2024 and have included the document as Attachment D in this Staff Report. A second public hearing notice for the continued public hearing was published in the Desert Review on January 9, 2024 (Attachment C).

Superintendent Thomason and the Developer, Ray Roben, have since been in contact to discuss the project. Mr. Thomason communicated to City staff that "the Developer has committed to work with the District since the adoption of the resolution by the Board to mitigate any impacts to the school." The IUSD's Resolution 23-24-06 was forwarded to Mr. Roben on January 18, 2024. He responded via email that he was aware of the letter (resolution) and was given a copy from Mr. Thomason. He confirmed he met with IUSD to understand their concerns and he has made a commitment to them, as he does with the City, to work with all parties on mitigating existing traffic issues. Mr. Roben further stated, "We never intended not to work with the school. However, we are not in the design phase so we thought that agreeing that we would mitigate traffic issues and putting that in the Conditions of Approval was sufficient, but I think the school just needed to hear it from me directly."

Project Location Map



General Plan Land Use Designation

The City of Imperial’s General Plan identifies the following policies within its Land Use Element:

Policy 5.4.1 in the General Plan’s Land Use Element states “multi-family residential developments of varying types and densities shall be encouraged where compatible with existing land uses and the provision of public services is highest.”

Policy 2.1 “Appropriate densities/intensities shall be established for new development projects and increased within the appropriate character areas to accommodate a variety of land use and development types.”

The Applicant is requesting a General Plan Amendment to change the Land Use designation from Low Medium Density Residential to High Density Residential.

Public Notification

The public hearing scheduled for December 13, 2023 was duly noticed in the Holtville Tribune and Calexico Chronicle, newspapers of general circulation, on November 30, 2023. The continued public hearing scheduled for January 24, 2024 was noticed in the Desert Review Newspaper on January 9, 2024. A Notice of Public Hearing was mailed to all property owners within 300-feet of the property.

Recommendation

Staff recommends the Planning Commission conduct a public hearing to receive comments for and against the project. Unless sufficient evidence to the contrary is presented at the public hearing, Staff recommends approval of Resolution No. PC2023-12 approving General Plan Amendment and Zone Change 21-02.

Attachments:

- Attachment A - DRAFT Resolution PC2023-12 with Conditions of Approval
- Attachment B - Proposed Site Plan
- Attachment C – Public Hearing Notice published in the Desert Review Newspaper
- Attachment D – Imperial Unified School District’s Resolution 23-24-06

Attachment A – DRAFT Resolution PC2023-12
DRAFT RESOLUTION NO. PC2023-12

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IMPERIAL, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVAL OF GENERAL PLAN AMENDMENT CHANGING THE LAND USE DESIGNATION FROM LOW TO MEDIUM DENSITY RESIDENTIAL TO HIGH DENSITY RESIDENTIAL AND ZONE CHANGE 21-02 FROM SINGLE FAMILY RESIDENTIAL TO RESIDENTIAL APARTMENTS FOR APN 044-200-098

WHEREAS, Ray Roben, has submitted an application for approval of a General Plan Amendment and Zone Change for the parcel identified as APN 044-200-098; and

WHEREAS, the General Plan Amendment to the General Plan Land Use Map from Low to Medium Density Residential to High Density Residential for the property further identified by APN 044-200-098, and containing an area of 2.38 acres; and

WHEREAS, the proposed General Plan Amendment would not have a deleterious effect on the environment and is necessary and proper at this time for consistency with the City’s Zoning Map; and

WHEREAS, a duly notified public hearing advertised according with the law and was held by the Planning Commission on December 13, 2023 and January 24, 2024; and

WHEREAS, upon hearing and considering all testimony and arguments, examining and analyzing the information submitted by staff and considering any written and oral comments received, the Planning Commission considered all facts relating to the proposed General Plan Amendment and Zone Change 21-02.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Imperial as follows:

- A) That the foregoing recitations are true and correct; and
- B) That based on the evidence presented at the public hearing, the Planning Commission hereby finds as follows:
 - 1. The proposed General Plan Amendment and Zone Change 21-02 are consistent with the goals, objectives and policies of the General Plan;
 - 2. The proposed General Plan Amendment and Zone Change are compatible with the surrounding environment;
 - 3. Public facilities and services can be provided to the proposed development without placing undue additional burden on existing residents and businesses; and
- C) That on the findings made above, the Planning Commission recommends **APPROVAL** of the General Plan Amendment and Zone Change 21-02; and
- D) That based on the evidence presented at the public hearing, the Planning Commission hereby recommends **APPROVAL** of the General Plan Amendment from to Low to Medium Density

Residential to High Density Residential, and Zone Change 21-02 from R-1 (Residential Single Family) to RA (Residential Apartments) for the property located on APN 044-200-098 containing an area of 2.38 acres subject to the conditions of approval outlined in Exhibit A; and

E) All recommendations made by the Planning Commission are based on the following findings:

1. The project has been reviewed in accordance with the requirements set forth by the City of Imperial for implementation of the California Environmental Quality Act and have deemed the project categorically exempt under Public Resource Code, Section 21159.23 for Affordable Housing Exemptions.
2. The project is following and in compliance with the California Environmental Quality Act, Section 21159.23 of the Public Resources Code.
3. The initial environmental assessment shows that there is no substantial evidence that the General Plan Amendment and Zone Change 21-02 have a significant impact on the environment.
4. There are no sensitive resources located within the area of the project or adjacent to the area of the project so as to be significantly impacted by the project.
5. The proposed General Plan Amendment and Zone Change 21-02 are consistent with the intent of the City of Imperial's General Plan to maintain land use designation consistency within the incorporated area of the City and its sphere of influence.
6. The proposed General Plan Amendment and Zone Change are consistent with the policies and the land uses of the existing City of Imperial's General Plan.
7. The proposed General Plan Amendment and Zone Change are consistent with the objective of the City of Imperial's General Plan Guidelines and Zoning Ordinance.

PASSED, ADOPTED AND APPROVED by the Planning Commission of the City of Imperial, this 24th day of January, 2024.

Planning Commission Chairperson

ATTEST:

City Clerk

EXHIBIT A

CONDITIONS OF APPROVAL

FOR

FONZIE APARTMENTS (APN 044-200-098)

GENERAL PLAN AMENDMENT AND ZONE CHANGE 21-02

R-1 (Single Family Residential) to R-A (Residential Apartment)

1. This Zone Change and General Plan amendment is to approve the change from R-1 (Single-Family Residential) to R-A (Residential Apartment).
2. An approved water supply capable of supplying the required fire flow determined by appendix B in the California Fire Code shall be installed and maintained.
3. Fire hydrant type and installation shall be in accordance with City of Imperial details and shall be approved by the fire code official.
4. Fire hydrant will be required every 300 feet along approved fire access roads and within 150 feet of all Fire Department Connections (FDC).
5. Plans shall be submitted to Imperial County Fire Department for review of all fire service main and appurtenance.
6. Fire Department connections shall be located on the street side of the building fully visible and recognizable from the street or nearest point of fire department vehicle access.
7. Fire Department access roads shall be in accordance with the California Fire Code Chapter 5, Section 503-Fire Apparatus Access Road and Appendix D.
8. The fire apparatus access road shall extend within 150 feet of all portions of the exterior wall of the first story of the building as measured by an approved route around the exterior of the building or facility.
9. Fire apparatus access roads shall have an unobstructed width of not less than 26 feet and unobstructed vertical clearance of not less than 26 feet and unobstructed vertical clearance of not less than 13 feet, 6 inches.
10. Additional access shall be required providing two (2) points of entry into the complex.

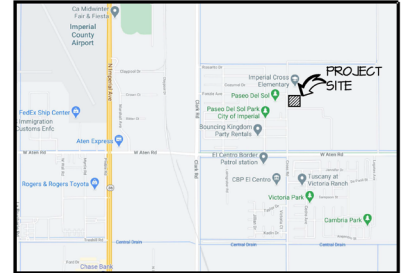
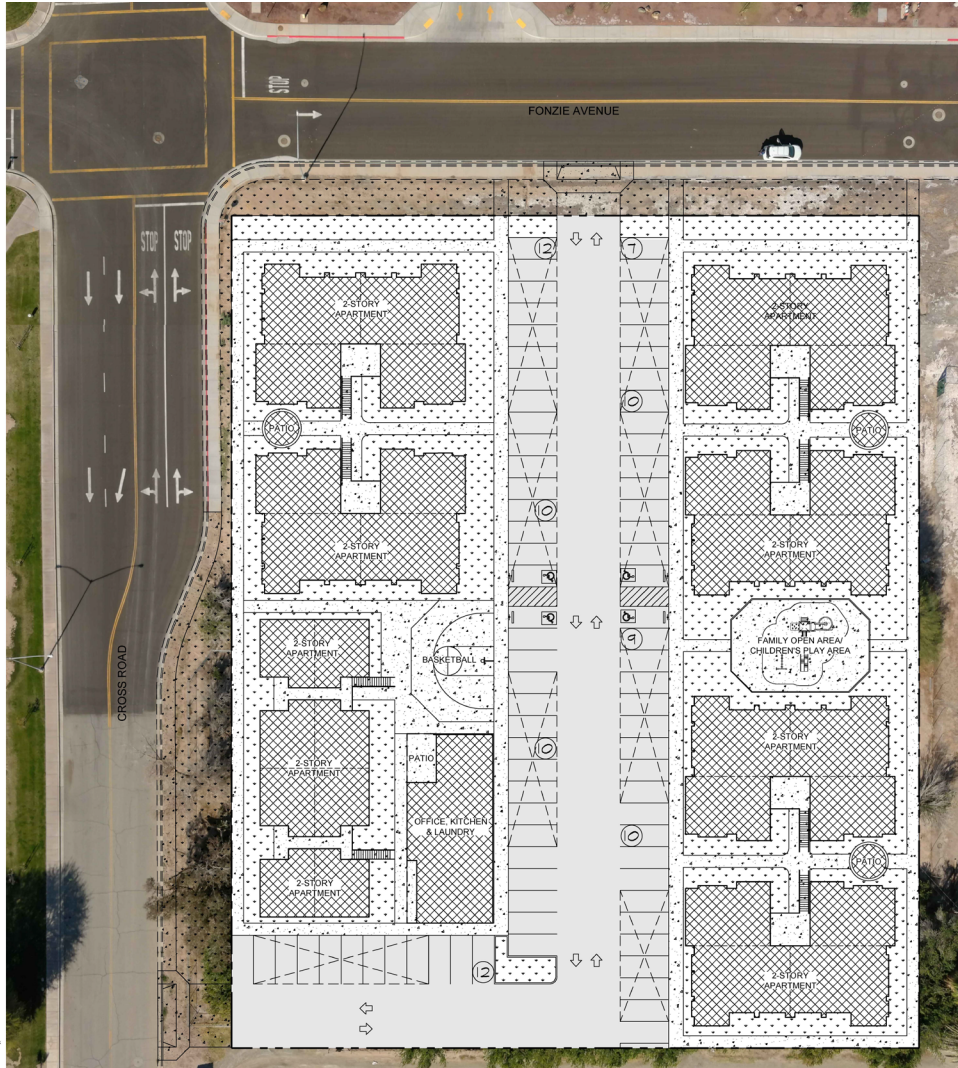
11. Turning radius shall be determined by the Fire Code Official.
12. Dead ends in excess of 150 feet in length shall be provided with an approved arc for turning around fire apparatus in accordance with Appendix D of the California Fire Code.
13. Fire access roads shall be required with approved notices or marking of the fire lane and shall be approved by the Fire Code Official.
14. Gate or barricades shall be approved by the Fire Code Official and be in accordance with Section 503.56 through 503.6 of the California Fire code and Appendix D.
15. Approved automatic fire sprinkler system shall be installed in accordance with Chapter 9 of the California Fire Code and NFPA 13, 13R and 13D.
16. Approved automatic fire and smoke detection system shall be installed in accordance with Chapter 9 of the California Fire Code and NFPA 72.
17. Plans shall be submitted to Imperial county Fire Department for review.
18. Approved KNOX Box shall be required. Location(s) shall be approved by the Fire Code Official.
19. All solar installation shall be in accordance with the most current applicable California codes. Imperial County Fire Department reserves the right to comment on solar requirements during the plan review process.
20. Impacts from the project will be evaluated by Imperial County Fire Department Fire Chief and Fire Code Officials. Upon review any impact that may create a negative effect on Imperial County Fire Department and/or the city of Imperial in concerns with life safety or property conservation shall be addressed between Fire Department Officials, City of Imperial Officials and Developer(s), which may include, but not limited to:
 - Capital purchases, which may be required to assist in servicing this project
 - Training
 - Fiscal Cost

21. The dirt road, directly abutting the project site to the South, will need to be improved/paved if there will be an additional access to the project site before final Certificate of Occupancy is issued.
22. Park impact fees to be utilized for contractor installed infrastructure upgrades to Imperial Community Park.
23. Provide a list of lighting in and throughout the complex for Police Department review and approval upon Site Plan Review submittal.
24. Provide a list of areas where security cameras will be installed for Police Department review and approval upon Site Plan Review submittal.
25. Developer to improve and extend the two southbound and two northbound traffic lanes on Cross Road from Fonzie Avenue to the Southern access road directly abutting the project site with curb, gutter and sidewalk.
26. Prior to the construction of any building or structure on any lot within the Residential Zones, a Site Plan Review is required pursuant to Section 24.19.500 detailing the adherence to the City's Property Development Standards (Section 24.03.120), Performance Standards (Section 24.03.130), Accessory Structures (Section 24.03.140) and Walls and Fences (Section 24.03.150).
27. These conditions of approval only cover the zone change and general plan amendment. Developer must still apply for a Site Plan Review and adhere to Building Permit Processes prior to any work and can be bound by future conditions of approval for projects.
28. City of Imperial General Plan contains a Noise Element that limits noise to 50 decibels at the property line. In order to minimize impacts with construction noise, construction activity involving the pouring with concrete shall occur between the hours of 7:00 a.m. and 8:00 p.m., Monday through Friday. Requests for the pouring of concrete outside the above stated days and times shall be made in writing at least ten (10) business days before the requested event(s). Such request shall include the requested dates and times and a statement setting forth facts supporting the request. Community Development Department may approve, deny or conditionally approve the request. A conditional approval may include requirements to minimize the impacts of the request, including, but not limited to a Construction Noise Mitigation Plan. At minimum the approval shall include the manner, method and reach with notice to be given to impacted parties.

29. The Developer shall comply with all local, State and Federal laws, regulations, rules, ordinances, and standards as they pertain to this project, whether specified herein or not. Where conflicts occur, the most stringent shall apply.
30. The Developer shall pay all applicable impact and capacity fees.
31. The Developer shall agree to defend, indemnify and hold harmless the City of Imperial and its agents, including consultants, officers and employees from any claim, action or proceeding against the City or its agents, including consultants, officers and employees to attack, set aside, void, or annul the approval of this zone change and general plan amendment. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney's fees, or expert witness costs that may be asserted by any person or entity, including the Property Owner/Developer arising out of or in connection with the approval of the zone change and general plan amendment including any claim for private attorney general fees claimed by, or awarded to any party from the City.
32. All conditions of approval for this zone change and general plan amendment shall be reprinted and included as a plan sheet(s) with the building permit plan check sets submitted for review and approval. These conditions of approval shall be on, at all times, all grading, landscaping, and construction plans kept on the project site. It is the responsibility of the Developer to ensure that the project contractor is aware of, and abides by, all conditions of approval. Prior approval from the Planning Department must be received before any changes are constituted in site design, grading, building design, building colors or materials, landscape material, etc.
33. The provisions of the permit are to run with the land/project and shall bind the current and future owner(s) successor(s) in interest, assignee(s) and/or transferor(s) of said project.
34. If the Community Development Department finds and determines that the Permittee or successor-in-interest has not complied or cannot comply with the terms and conditions of the zone change and general plan amendment, or the Planning/Building Department determines that the permitted activities constitute a nuisance, the City shall provide Permittee with notice and opportunity to comply with the enforcement or abatement order. If after receipt of the order (1) Permittee fails to comply, and/or (2) Permittee cannot comply with the conditions set forth in the then the matter shall be referred to the Planning Commission for modification to conditions of approval, suspension, or termination, or to the appropriate enforcement authority.






35. As between the City and the Permittee, any violation of the conditions of approval may be a "nuisance per se". The City may enforce the terms and conditions of this permit in accordance with its Codified Ordinances and/or State law. The provisions of this paragraph shall not apply to any claim of nuisance per se brought by a third party.
36. Permittee shall not be permitted to maintain a "nuisance", which is anything which:
(1) is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property, and/or (2) affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal, and/or (3) occurs during or as a result of the project.
37. The city reserves the right to require additional traffic mitigation measures for any future traffic concerns within the development such as stop signs, sight distance enhancements, pedestrian crossing, roadway design and/or additional traffic impact analysis.

Attachment B - Proposed Site Plan



VICINITY MAP
NOT TO SCALE

HATCH LEGEND

-  NEW CONCRETE AREAS
-  PROPOSED BUILDING
-  NEW LANDSCAPE AREAS
-  PAVEMENT
-  PROPERTY LINE

BUILDING DATA

BUILDING USE:	APARTMENT COMPLEX	
STORIES:	2-STORY	
UNIT MIX:	1 BEDROOM:	12 UNITS
	2 BEDROOM:	24 UNITS
	3 BEDROOM:	24 UNITS
	TOTAL UNITS:	64 UNITS
PARKING REQUIRED:	(16) 1-BED UNIT x 1.0 STALL	= 16 STALLS
	(24) 2-BED UNIT x 1.5 STALL	= 36 STALLS
	(24) 3-BED UNIT x 2.0 STALL	= 48 STALLS
	TOTAL REQUIRED STALLS	= 100 STALLS
PARKING PROVIDED:	80 STALLS PROVIDED	

PROPERTY BOUNDARY NOTE:
THE PROPERTY OR BOUNDARY LINES SHOWN ON THIS PLAN ARE AN APPROXIMATE AND ASSUMED LOCATION. THIS PLAN SHALL NOT BE USED AS A LEGAL DOCUMENT FOR LOCATING, ESTABLISHING OR DEPICTING PROPERTY LINES. IF PROPERTY LINES NEED TO BE ESTABLISHED OR IDENTIFIED, A REGISTERED LAND SURVEYOR WILL PREPARE THE NECESSARY SURVEY.

Attachment C – The Desert Review Newspaper Public Hearing Notice

COMMUNITY A2

THEDESERTREVIEW.COM

JANUARY 9, 2024

YOUNGSTERS FLY LIKE EAGLES OVER THE VALLEY

BY ALIDA V. RIVERA
IMPERIAL — Catching flights every kid's dream, The Experimental Aircraft Association (EAA) allowed Imperial Valley youngsters to fly, introducing them to the art of aviation Saturday, January 6th.
 The day consisted of ten airplanes which were used to give kids a short twenty-minute flight around the Valley which took them out over to Spreckles Sugar Highway 111, and flew them back out to the Imperial County Airport. Once the children completed their flight, they were given a certificate and a Young Eagles logbook which gave them aviation information and how planes work. The flight was free and consisted of volunteers on the ground and in the air. Some airplanes used were experimental, meaning they were built by the owners/pilots.

Robbie Phillips, a member of Experimental Aircraft Association chapter 116 is one of the organizers who helped put the event on. The chapter is based in Thermal, California, and mainly works out in Palm Springs. Being an Imperial Valley native, Robbie enjoys introducing kids to the field of aviation, hoping the day produces future pilots, either for recreational use or a career. The Imperial Valley offers a flight school where one can register and begin working on getting their pilot's license. Larry Hudson, President and CEO of the Imperial Valley Lions Club, is the man who can be credited for allowing this to happen. It once was hosted by the City of Imperial until the Lions Club took over a few years back. Hudson said he enjoys putting on the event as it is something both parents and children can enjoy and learn from. Hudson also donated a bouncy

castle so that once the children finished their flights they could still enjoy time at the airport.
 The Imperial Solo Ninety-Nines woman aviation club also made an appearance. This club was originally started in 1929 by Amelia Earhart along with 99 other female pilots to bring awareness for women in aviation. The Imperial Solo Ninety-Nines club offers scholarships for young women to interest them in pursuing of an aviation career. Only 7% of pilots are female.
 Another special appearance included the Imperial Valley's Drift Car Club. The car club is invited every year as they bring their cool, old-school cars to show off to attendees. Food and refreshments were provided today including a donation of rice and beans from El Zarape Mexican Restaurant and Johnny's Burritos. Hudson also donated thirty-five pounds of pollo asado, cooked by the American Legion.



PILOT CARLOS BOJORQUEZ stands alongside his young passengers before they take flight. Photo by Alida V. Rivera

BOS approves fourth round of community program funding

EL CENTRO — The Imperial County Board of Supervisors approved the fourth set of project recommendations under Phase 3 of the Community Benefit Program during their regular meeting on December 19. The decision, made under the Consent Calendar, furthers the County's commitment to maximizing the benefits of solar energy development while supporting vital community improvement projects and local economic development.
 Earlier this year, the Board authorized Phase 3 of the Grant Program, dedicating \$1,000,000 to be distributed among non-profits, community-based organizations, and other entities focused on enhancing public services. The funding targets initiatives in community and economic development, community services, and wildlife habitat conservation.
 Prior to this approval, the first three project recommendations, as suggested by the Grant Committee, allocated \$599,418 to 32 projects. The fourth round of project recommendations comprised ten grants totaling \$206,926.
 "The Community Benefit Program continues to support

Supervisory District	Name	Non-profit/ Government	Amount
1-5	Imperial County Sheriff's Office - Aero Squadron	Government	\$10,000
4&5	Boys and Girls Club of Imperial Valley	Non-profit	\$25,000
1-5	Imperial County Sheriff's Office - Blue Ribbon	Government	\$25,000
2	Southwest High School FFA	School District	\$25,000
5	Holville Takedown Club	Non-profit	\$11,426
1-5	Imperial County Fire Department	Government	\$25,000
1-5	Imperial County Fire Department	Government	\$25,000
1-5	Dee's Rescue	Non-profit	\$25,000
1-5	Imperial Valley Desert Museum	Non-profit	\$25,000
1-5	Imperial County Veteran's Services Office	Non-profit	\$10,500
	Total:		\$206,926

local communities and businesses, building upon the collaboration between the private sector, public sector, and education partners,"

stated Chairman of the Board, Ryan E. Kelley. To learn more about the program, visit www.Board.ImperialCounty.org.



Imperial City Council approves water treatment plant pump replacement

BY JUSTIN ORSINO
IMPERIAL — A crucial water pump at the Imperial water treatment plant is facing issues due to a failed weekly frequency drive, impacting the pressure needed for the carbon filtration system in Imperial. The City Council approved a declaration of emergency and granted a replacement for

the failed drive at its regular meeting, on January 3. The failed drive, after successfully operating for nearly ten years, could expose people and property to injury and damage leading to health and safety issues, according to the city manager. A spare was also considered as a precaution for the future.
 "A year ago, or so, we were looking to see what it would

take to get a spare," said Robert Emmett, Chief Water Treatment Operator. Emmett said Control Systems Engineering provided products and pricing for two new drives. The quote, totaling \$7,460, was attached to an email sent by the President of Control Systems Engineering, Eric Blom. "He (Blom) owns the company," said Emmett. "And he's going to verify that we can use the spare in the raw water."

City of El Centro ready to dazzle in 2024 Mardi Gras

EL CENTRO — Let the good times roll! The City of El Centro, Imperial Valley Regional Chamber of Commerce, and Los Vigilantes invite you to join us for Mardi Gras 2024 festivities. This year, the City will work collaboratively to provide various entertainment for the community.

"This is the perfect event to kick off the New Year. It includes a light parade, dazzling decorations, amazing costumes, street fair and a King and Queen," said City of El Centro Mayor Sylvia Marroquin. "It's another great event that our local families can enjoy."

Mardi Gras Light Parade & Street Festival
 The Light Parade and Street Festival will be held on February 24, from 5 to 9 p.m. The Street Festival will begin at 5 p.m., and the Light Parade will start at 6 p.m. The parade route will start at Eight Street and Wensley Avenue and end at 11th and Main streets. For parade participation, please contact the Imperial Valley Regional Chamber of Commerce at 760-352-7413. The street fair will

include numerous vendors, a music concert, dancing, and a beer garden. To become a street vendor, please contact the City of El Centro Community Center office at 760-337-4555.

Mardi Gras Coronation
 The City of El Centro is also soliciting public nominations for the "Mardi Gras King & Queen." The King and Queen will host the City of El Centro's Mardi Gras King & Queen Coronation reception on January 18, from 5 p.m. to 7 p.m. at City Hall. They will also participate in interviews with various media to promote the Mardi Gras Light Parade & Street Festival and ride on the last float in the Mardi Gras Parade on February 24.

Nominations are due by 5 p.m. on January 10, at the El Centro Community Center located at 375 S. 1st Street in El Centro or via email submission to anavaj@cityofelcentro.org. You may download the application online at <https://cityofelcentro.org/parksandrec/upcoming-events/> or pick up a nomination form at the El Centro Community Center. For more information, call 760-337-4555.



Attention Artisans
 Do you like to sew, quilt or bake? Maybe its preserves or candy you can make. Are you a collector or good at crafts?
 Or maybe you're an artist with some rough drafts. Are you a photographer with pictures to show? Do you have a green thumb to make things grow?
 Share your talent at the 2024 California Mid-Winter Fair March 1-10, 2024. Entries accepted through Saturday, February 4th. Entry details: ifairgrounds.com

An Imperial Valley Tradition

Johnny's Burritos
 Est. 1963
 490 D St Imperial, CA 92227 (760) 344-0961
 105 S. Imperial Ave Imperial, CA 92251 (760) 355-0962
 301 Wake Ave El Centro, CA 92243 (760) 353-4963

City of Imperial California
Notice of Public Hearing
 City of Imperial Planning Commission
 Notice is hereby given that a public hearing will be held by the City of Imperial Planning Commission on **Wednesday, January 24, 2024 at 6:30 P.M.** The public hearing will be held at the City of Imperial Council Chambers located at 200 W. 9th Street, Imperial, CA 92251. The purpose of the public hearing is to hear comments from the public regarding the General Plan Amendment and Single Family Residential to Residential Apartments Zone Change to allow residential apartments consisting of 64 units on APN 044-200-098. Project is exempt from the California Environmental Quality Act (CEQA) Section 15194-Affordable Housing Exemption, Public Resources Code, Section 21159.23.
 Copies of the application and other pertinent information are available for review at the Community Development Department at Imperial City Hall during regular business hours. If you would like to know more about the proposed projects prior to the public hearing, please contact Othon Mora, Community Development Director, at (760) 355-1152 or via email at omora@cityofimperial.org.
 Any person desiring to comment on the above project may do so in writing or may appear in person at the public hearing. Written comments should be directed to Kristina Shields, City Clerk, City of Imperial, 420 South Imperial Avenue, Imperial, CA 92251. Please reference the project name in all written correspondence.
 Kristina Shields
 City Clerk

Attachment D - Imperial Unified School District's Resolution 23-24-06

IMPERIAL UNIFIED SCHOOL DISTRICT RESOLUTION NO. 23-24-06

RESOLUTION OPPOSING GENERAL PLAN AMENDMENT AND ZONE CHANGE FOR PROPOSED FONZIE APARTMENTS DIRECTLY ACROSS THE STREET FROM IMPERIAL CROSS ELEMENTARY SCHOOL

Ray Roben has applied for a General Plan Amendment and Zone Change ("the proposed project") to change the current zoning from R-1 Residential Single-Family to RA Residential Apartment to place an approximately 64-unit apartment complex on the residential property APN 044-200-098 located at the corner of Fonzie Avenue and Cross Road.

The proposed apartment complex would be located directly across Cross Road from Imperial Cross Elementary School of the Imperial Unified School District ("IUSD"), which is located at 2462 Cross Road, Imperial, California 92251 and which serves approximately 715 elementary school students.

While Imperial Cross Elementary School is not directly shown on the map attached to the Development Director Staff Report ("Staff Report") regarding the proposed project, the driveway to the school is visible on the map and shows the close vicinity of the school to the proposed project.

WHEREAS, the Governing Board ("Board") recognizes the importance of affordable housing to house local community members; and

WHEREAS, Imperial Cross Elementary School ("School") is considered full capacity at 700 students and presently enrolls approximately 715 students, including by using four (4) portable classrooms added to the school site; and

WHEREAS, the proposed project falls within the attendance boundaries of the School, such that elementary school aged children residing within the proposed project will be assigned to attend the School; and

WHEREAS, the School already deals with overwhelming parking and traffic problems and significant overcrowding; and

WHEREAS, the application was devised without any coordination, discussion, or solicitation of input from IUSD; and

WHEREAS, the application does not include any meaningful information about the potential impact of the apartment complex on IUSD school operations, including any measures that may be needed to appropriately address school capacity and traffic and parking around the school;

WHEREAS, the Board is concerned that the proposed project will have a direct negative impact on IUSD students and their families;

WHEREAS, as shown on Attachment B (the Proposed Site Plan) of the Staff Report, the proposed project should be denied because it has a parking requirement of 100 stalls and only proposed 80 stalls thereby causing an increased parking issue for the surrounding neighborhood and the School, and restricting the flow of traffic to and from the school; and

WHEREAS, the proposed project should be denied because it does not intend to have adequate parking available for the proposed apartment complex residents and their guests, anticipated increased street parking near the School will significantly disrupt the drop off and pick up of School students; and

WHEREAS, the proposed project should be denied because it does not provide for any additional bus stops to be added for the residents of the proposed apartment complex, thereby preventing school bus transportation to and from the proposed apartment complex for middle and high school aged student residents; and

WHEREAS, the proposed project relies upon an exemption to the California Environmental Quality Act ("CEQA") pursuant to California Public Resources Code section 21159.23; and

WHEREAS, the proposed project should be denied because it does not qualify for a CEQA exemption pursuant to Section 21159.23 because there is a reasonable possibility that the proposed project would have a significant effect on the environment or the residents of the project due to unusual circumstances or due to the related or cumulative impacts of reasonably foreseeable projects in the vicinity of the project, including but not limited to causing overcrowding of a public facility and the overcrowding causes an adverse effect on people (Title 14 California Code of Regulations Section 15064). Specifically, the School, a public facility, is located directly across the street from the proposed project site. The School has a current total population of approximately 715 students. The School is considered full capacity at 700 students. Should a 64-unit apartment complex be built directly across the street from the School, the School population will grow to a capacity that the School cannot support, which would have a significant adverse effect on the families who are assigned to the School but will not be able to attend their neighborhood school; and

WHEREAS, the proposed project should be denied because it does not qualify for a CEQA exemption pursuant to California Public Resources Code section 21159.23 because it fails to meet the criteria set forth in California Public Resources Code section 21159.21 as it is inconsistent with the applicable general plan and zoning ordinance as they presently exist, and any mitigation measures required by the applicable general plan; and

WHEREAS, as stated above, because the School is already over capacity and the proposed project would only overcrowd the School to a level that the current facilities cannot sustain, should the Planning Commission approve the application at this time, the Board will adopt and notify the City Council of its findings regarding overcrowding of Imperial Cross Elementary School supported by clear and convincing evidence pursuant to California Government Code Sections 65970 et. al. to show that this project should not be approved as presented without consideration and affirmative steps towards alleviating the overcrowding of the School; and

NOW, THEREFORE, BE IT RESOLVED, The Governing Board of the Imperial Unified School District OPPOSES the proposed General Plan Amendment and Zone Change for the Fonzie Apartments located directly across the street from Imperial Cross Elementary School for the reasons set forth above.

BE IT FURTHER RESOLVED, The Governing Board of the Imperial Unified School District authorizes and delegates authority to the Superintendent of IUUSD and the Attorney for the District to:

- (1) Take any and all steps to oppose the proposed project;
- (2) Explore all reasonable methods of mitigating conditions of overcrowding and to propose findings to the Governing Board for approval to submit to the City Council pursuant to California Government Code section 65972;
- (3) Appeal a decision by the Planning Commission granting the proposed General Plan Amendment and Zone Change for the proposed project; and
- (4) Pursue the possibility of litigation to oppose the proposed project.

PASSED and APPROVED on this 11th day of January, 2024.

Governing Board of the Imperial Unified School District:

By: _____


Victor Lopez