



staff report

Agenda Item No. D-1

To: City of Imperial Planning Commission

From: Jorge Galvan, AICP, Director of Planning and Development

Date: July 14, 2010

Subject: **Conditional Use Permit Request #16C03**
B&L Towing and Auto Body
2413 Clark Road, Imperial, CA 92251 (Northwest Corner of Clark and Aten)

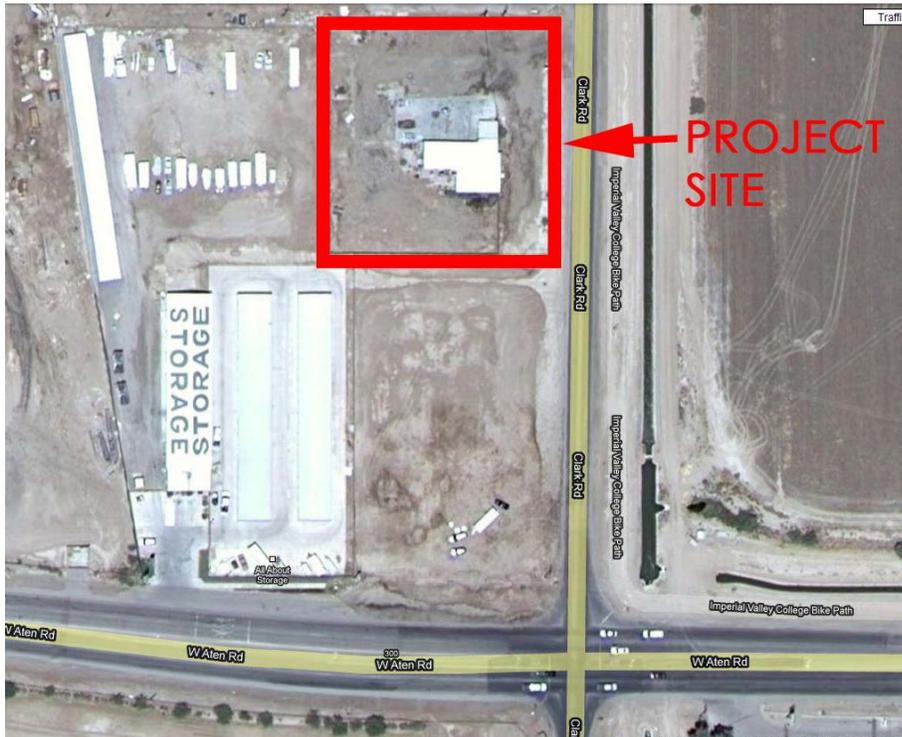
Summary:

Applicant:	B&L Towing
Project Location:	2413 Clark Road, Imperial, CA 92251 (Northwest Corner of Clark and Aten)
Zoning:	I-2 (Rail Served Industrial)
General Plan:	Industrial
Environmental:	Categorically Exempt
Recommendation:	Approve Conditional Use Permit

Background

B&L Towing has been operating a tow yard at 2413 Clark Road for more than 12 years. The Planning Commission approved a Conditional Use Permit in July 2010 to allow an automotive repair facility (Cavir's Auto Body) at the same location. The automotive repair facility ceased operations in February 2014 when the Planning Commission approved a Conditional Use Permit for Cavir's Auto Body to relocate to 2nd Street. Conditional Use Permits normally stay with the property but they do expire when the approved use is no longer in operation. It has been more than two years since an automotive repair facility has operated at 2413 Clark Road, and as such, a new Conditional Use Permit is required if automotive repair is to occur at that location again.

B&L Towing is proposing to operate an automobile repair facility for vehicle painting and body repairs within an existing facility. A new paint booth will be installed to the rear (west) of the building and some work will be done on an exterior lift located towards the rear of the property. Primary access to the site is from a 20-foot wide gate along Clark Road. Sufficient parking space existing within the property and sufficient storage space is located within a screened, fenced area. An aerial photo of the project site is shown below.



Discussion/Analysis

The subject site is currently zoned I-2 Rail-Served Industrial. The land uses and zoning to the north and west of the project site are also I-2 Rail-Served Industrial, whereas the land uses to the east (across the street) is C-1 Neighborhood Commercial (Imperial Animal Clinic) and to the south (across the in an unincorporated area of the County) is light manufacturing. The I-2 Rail-Served Industrial zoning designation is intended for general industrial uses, especially those that need rail access. Section 24.07.120.C.2 of the Imperial Zoning Ordinance lists automobile repair facilities as a use subject to a Conditional Use Permit.

Evaluation

The Zoning Ordinance provides flexibility in the regulation of uses to ensure that unusual characteristics of certain uses are properly addressed in furtherance of the Imperial Zoning Ordinance. Section 24.19.340 of the City of Imperial Zoning Ordinance requires that the Commission make specific findings be made when reviewing a CUP. The required findings are listed below in ***bold italics***, followed by an evaluation.

- 1. That the proposed location, size, design, and operating characteristics of the proposed use is in accord with the Title and Purpose of this Ordinance, the Purpose of the zone in which the site is located, the Imperial General Plan, and the development policies and standard of the City.***

The subject site is located within an I-2 Rail Served Industrial zone. The auto body repair facility will not interfere or conflict with the purposes of the zone.

- 2. That the location, size, design, and operating characteristics of the proposed use will be compatible with and will not adversely affect or be materially detrimental to adjacent uses, residents, buildings, structures, or natural resources with consideration given to those items listed in Section 24.19.340.B of the Imperial Zoning Ordinance.*

The proposed location is ideal for the facility as it is surrounded by similar land uses. To the north, south and west of the project site are existing industrial land uses, and an existing commercial use directly to the west. Although the Bratton Subdivision is within the vicinity of the propose project, the nearest residential property is 200' from the project site and a noise barrier wall exists within the Bratton Subdivision. All outdoor storage will be screened. The project will be compatible with the adjacent land uses and will not adversely affect residents.

- 3. That the proposed location, size, design, and operating characteristics of the proposed use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.*

The project is very limited in nature, and as such, will not be detrimental to the public health, safety, or welfare.

- 4. That the proposed Conditional Use will comply with each of the applicable provisions of the Zoning Ordinance, except for any approved Variance.*

The proposed vehicle and storage facility will be comply with all provisions of the Zoning Ordinance.

Environmental Compliance

The project is categorically exempt from the California Environmental Quality Act (CEQA) under Section 15301 of the Guidelines.

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 PC2016-04** approving a conditional use permit for an automotive paint and body facility for B&L Towing and Auto Body at 2413 Clark road subject to the attached conditions.

Respectfully Submitted



Jorge Galvan, AICP
Director of Planning and Development

Attachments: Resolution No. PC2016-04 with Conditions of Approval