



Staff Report

Agenda Item No.

D-3

To: City of Imperial Planning Commission
From: Lisa Tylanda, Planner
Date: January 8, 2020
Subject: Zone Change/General Plan Amendment/Conditional Use Permit for Airwave Communication

Background:

Current Zoning: R-1	Current Land Use: Vacant Parcel
Size of Property: 16,167.11 square-feet	Parcel Legal Description: LOTS 11 & 12 & POR LOTS 4 5 6 & 10 BLK 116 TSTE OF IMPERIAL
Site Design: Please see Site Plan provided below.	Environmental Clearance: Class 32 In-fill Exemption

Zone Change/General Plan Amendment (19_03) and Conditional Use Permit (19_08)



1" = 188 ft	City of Imperial	01/03/2020		
<small>This map may represent a visual display of related geographic information. Data provided here on is not guarantee of actual field conditions. To be sure of complete accuracy, please contact the responsible staff for most up to date information.</small>				

Project Summary:

The applicant, Airwave communications is looking to build a new metal building located on their lot behind K Sushi and adjacent to their existing business location in Imperial. At this time the lot is zoned R-1 (Residential Single-Family) which does not allow for commercial developments. The applicant is applying for the zone change in order to allow for expansion of his currently operating business. The proposed zone change and general plan amendment are to go from a residential single-family zoning to a C-1, commercial neighborhood zoning.

The proposed zone change would allow the applicant to potential operate their business on the adjacent parcel behind K-Sushi. The proposed zone change would be the same zoning as the currently commercial operations that are both adjacent to the parcel, which are also (C-1) Commercial Neighborhood Zones. The Conditional Use Permit is required because the use is not permitted by right but by obtaining a conditional use permit for automobile services. The Vehicular Traffic Generation Rates for Residential versus Commercial are: for a residential Single-Family development would be 10/1000 square-feet (36 ADTs) and for the warehouse service would be 5/1000 square-feet (18 ADTs). There would actually be a reduction in vehicular traffic for the proposed use.

General Plan Compliance and Policies Related to this Application

Land Use Element:

East Downtown Character Area is located on the east side of Highway 86 north and south of Barioni Boulevard, provides an opportunity to serve as an extension of Downtown. It is envisioned to offer commercial diversity, while still providing an attractive image for drivers.

- **Land Use Element Goal #1 Growth & Development:** Implement the successful transformation of the City from a small town into a medium, full service City while maintaining its rural character via planned and orderly development.
- **Land Use Element Goal #2 Land Use Compatibility:** Achieve land use compatibility throughout the City and promote character areas, where appropriate.
- **Land Use Element Goal #4 Economic Prosperity:** Achieve a balanced and varied economic base which provides a broad range of goods, services, and employment to the City's residents and the region in a manner that is aesthetically pleasing and consistent with the character areas.

Circulation Element:

The proposed Zone Change is consistent with and meets various goals of the Circulation Element by bringing commercial development closer to the City and existing Neighborhoods:

- **Circulation Element Goal #1 Circulation & Land Use :** Plan land uses in conjunction with the circulation system to encourage future growth in areas of higher density on transportation nodes, which will better allocate City resources and limit vehicle miles traveled.

- **Circulation Element Goal #2 Safe & Complete Streets:** Develop a multi-modal network and balanced transportation system that safely accommodates all modes of travel.

This Zone Change will not cause any traffic generation or affect the circulation of the existing traffic in the area. As the vacant parcels are developed, there may be an increase in the traffic volume in the immediate area surrounding these sites.

Public Improvements/City Services:

No public improvements are required with the approval of this Zone Change. However, when the vacant parcels are developed, all missing public improvements shall be constructed

Neighborhood Impact/Interface:

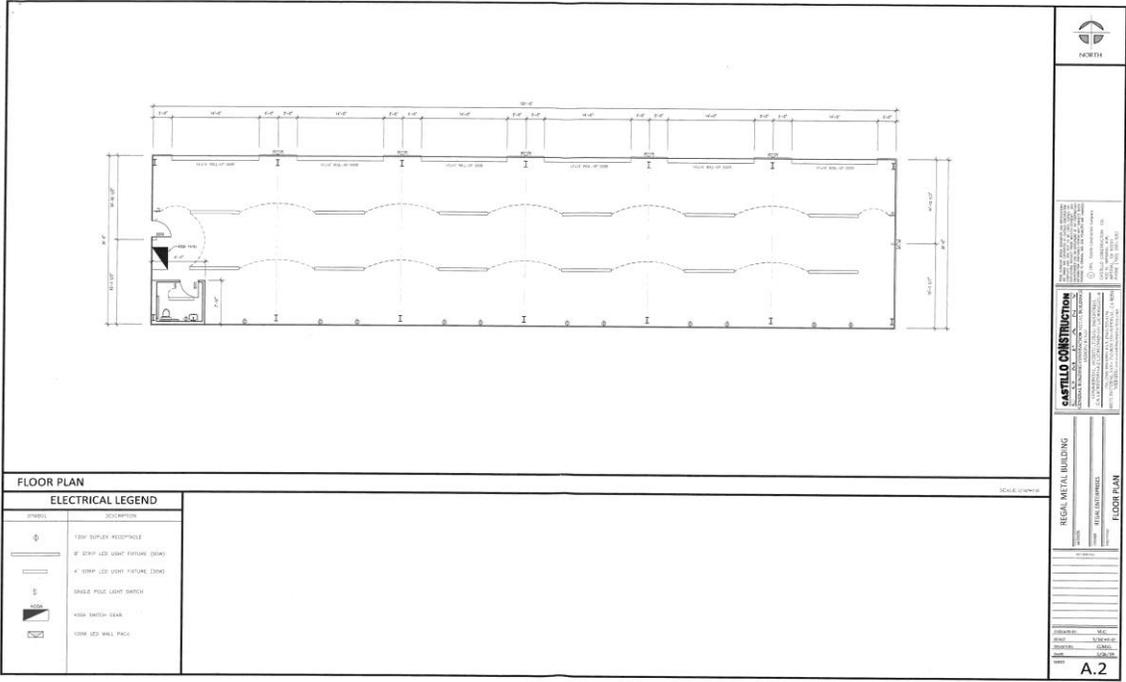
There is no neighborhood impact/interface anticipated as a result of this Zone Change. At the time of development, consideration will be given to the impacts any future project might have on the surrounding area.

Staff Recommendation:

Staff recommends this item to the Planning Commission for review.

Attachments:

- Conceptual Site Plan/Floor Plan
- Project Summary from Applicant
- Resolution
- Conditions of Approval



FLOOR PLAN

ELECTRICAL LEGEND	
SYMBOL	DESCRIPTION
⊕	120V DUPLEX RECEPTACLE
⊕	6" DUPLEX LED LIGHT FIXTURE (200W)
⊕	4" DUPLEX LED LIGHT FIXTURE (200W)
⊕	SINGLE POLE LIGHT SWITCH
⊕	400W SWITCH DECK
⊕	100W LED WALL PACK

NORTH

CASTILLO CONSTRUCTION
 10000 W. 10TH AVENUE, SUITE 100
 DENVER, CO 80231
 (303) 751-1111
 www.castilloconstruction.com

REGAL METAL BUILDING
 ELECTRICAL PLAN
 FLOOR PLAN

DATE: 10/15/2024
 DRAWN BY: J. SMITH
 CHECKED BY: M. JONES
 PROJECT NO: 2024-001

A.2

CASTILLO CONSTRUCTION

C O M P A N Y

P. O. Box 233 • Imperial, CA 92251
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November 4, 2019

City of Imperial
420 South Imperial Ave.
Imperial, CA 92251

Attn: Lisa Tylenda

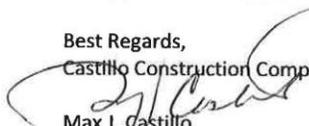
Re: Regal Enterprises

Dear Miss Tylenda,

The following is a narrative for the Regal Enterprises project. They took over the business in 2003 from Hendricks Communications, which ran the Communications business for 30 to 40 years prior to that. They need to expand their facility to be able to service the growing number of customers.

They hope to add a 6 bay service and installation shop totaling 3,600SF. We have included a site plan showing the proposed location at the northwest corner of 4th and K Street. It will be housed in a metal building with the required landscaping and curbs, sidewalks and gutters.

At the present time the entire area is vacant with the office and existing shop fronting "J" Street. We appreciate the opportunity to present this project for your approval.

Best Regards,
Castillo Construction Company

Max J. Castillo
President

Cc: Regal Enterprises
Attn: Mr. Kelly Baker
414 South "J" Street
Imperial, CA 92251

Enclosed: A. Condition of title report
B. Site Plan
C. Elevation and Floor Plan

RESOLUTION NO. PC 2020-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IMPERIAL, CALIFORNIA, RECOMMENDING APPROVAL OF THE ZONE CHANGE AND GENERAL PLAN AMENDMENT AND CONDITIONAL USE PERMIT FOR THE FOLLOWING ASSESSOR PARCEL NUMBERS 064-151-002 TO ALLOW FOR THE NEIGHBORHOOD COMMERCIAL DEVELOPMENT OF AN AUTOMOBILE SERVICE STATION.

WHEREAS, Castillo Construction company applied on behalf of Regal Enterprises has submitted an application for a General Plan Amendment and Zone Change for certain real property described as follows:

ASSESSOR PARCEL NUMBERS: 064-151-002

WHEREAS, a duly notified public hearing was held by the Planning Commission on January 8, 2020; and

WHEREAS, upon hearing and considering all testimony and arguments, examining the Initial Environmental Study, analyzing the information submitted by staff and considering any written and oral comments received, the Planning Commission considered all facts relating to the Conditional Use Permit, General Plan Amendment, and Zone Change.

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 conditional use permit, zone change, and general plan amendment are consistent with the goals, objectives and policies of the General Plan;
 - 2. The proposed conditional use permit, zone change, general plan amendment, and proposed automobile service station is compatible with the surrounding environment;
 - 3. Public facilities and services can be provided to the proposed commercial 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 conditional use permit, zone change and general plan amendment; and
- D) That based on the evidence presented at the public hearing, the Planning Commission hereby recommends **APPROVAL** of the zone change and general plan amendment from R-1 (Residential Single-Family) to C-1 (Commercial Neighborhood) and;

- E) That based on the evidence presented at the public hearing, the Planning Commission hereby recommends APPROVAL of a Class 32 In-Fill Categorical Exemption; and
- F) 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.
 2. The project is in compliance with the California Environmental Quality Act, Section 2100 through 21176 of the Public Resources Code.
 3. The initial environmental assessment shows that there is no substantial evidence that the zone change and general plan amendment may 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 Conditional Use Permit, Zone Change, and General Plan Amendment are consistent with the intent of the Imperial General Plan to maintain land use designation consistency within the incorporated area of a City's and its sphere of influence.
 6. The proposed Conditional Use Permit, Zone Change, and General Plan Amendment are consistent with the policies and the land uses of the existing City of Imperial General Plan.
 7. The proposed General Plan Amendment and Zone Change are consistent with the objective of the City of Imperial Zoning Ordinance.

PASSED, ADOPTED AND APPROVED by the Planning Commission of the City of Imperial, this 8th day of January 2020.

Planning Commission Chairman

ATTEST:

City Clerk

EXHIBIT A
CONDITIONS OF APPROVAL

for
Airwave Communications/ Regal Enterprises
Conditional Use Permit, Zone Change and General Plan Amendment
(APN 064-151-002)

1. Developer/Applicant 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.
2. The Developer/Applicant shall offer for dedication all rights of way, easements, or parcels of land required for both on-site and off-site construction of streets, pipelines, utilities and the storm water retention basin.
3. The Developer/Applicant shall pay all impact and capacity fees.
4. The Developer/Applicant shall pay any and all amounts as determined by the City of Imperial to defray all costs for the review of maps, drawings, reports, field investigations, or other activities related to compliance of this project with City ordinances and/or any other laws, regulations, or requirements that apply. These costs shall be paid to the City prior to the issuance of a Certificate of Occupancy.
5. All maps, plans, studies, cost estimates, designs and calculations required for this project shall be subject to the review and approval of the City Engineer, Department of Public Works and Department of Community Development prior to the issuance of a Certificate of Occupancy.
6. All infrastructure improvements shall be constructed prior to the issuance of a Certificate of Occupancy. Security shall be provided prior to the second reading/adoption of the Zone Change to ensure construction of said improvements and to comply with the Conditions of Approval.
7. The Developer shall provide adequate financial assistance to offset the impacts to local law enforcement, fire and school services to ensure the level of service of these departments are not adversely affected by the development of this project.
8. The Developer shall comply with the City's Water Master Plan to ensure sufficient volume and flow of water. The Developer shall construct new water mains and storage facilities in the project area if necessary and built according to City development standards. In the event that the collection system is improved by the City or another developer, this project shall pay its fair share of the cost of improvements.
9. The Developer shall comply with the City's Sewer Master Plan to ensure sufficient handling of wastewater. The Developer shall improve the collection system through the construction of new sanitary sewer mains where required and in accordance with City development standards.
10. The Developer/Applicant shall submit a lighting plan prior to any construction activity. All lighting installed shall be shielded and directed so as to minimize significant off-site glare or adverse light intrusion into neighboring properties. The lighting plan shall be reviewed and approved by the City of Imperial Community Development Department.

11. Construction sites shall control dust (PM-10) generation through implementation of the construction mitigation measures detailed in Regulation VIII of the Air Pollution Control District's CEQA handbook and as outlined in the Mitigation Monitoring Program.
12. The conditional approval of the project shall not constitute the waiver of any requirement of the City's Ordinances or regulations, except where a condition set forth herein specifically provides for a waiver.
13. The Developer/Applicant shall obtain, pay for and comply with all permits from the Imperial Irrigation District, and other applicable agencies for all improvements within, across, or affecting the respective rights of way.
14. The Developer/Applicant shall agree to defend, indemnify and hold harmless the City of Imperial, the Imperial County Airport, and their agents, including consultants, officers and employees from any claim, action or proceeding against the City or the County Airport, or their agents, including consultants, officers and employees to attack, set aside, void, or annul the approval of the Zone Change, General Plan Amendment and Class 32 Categorical In-fill exemption. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorneys fees, or expert witness costs that may be asserted by any person or entity, including the Developer/Applicant arising out of or in connection with the approval of the Zone Change, General Plan Amendment and the Conditional Use Permit.
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