

TO: Planning Director Action (PDA)

AGENDA DATE

June 14, 2023

FROM: Planning & Developments Services Dept.

AGENDA TIME

3:30 P.M./No. 1

PROJECT TYPE: Ismael Reyes (MERG #00151)	SUPERVISOR DIST. 5						
LOCATION: 578 Meadowlark Road	APN: 059-363-008, 010, 011-0 -008 +/99 acr -010 +/- 1.2 acr						
Calexico, CA 92231	PARCEL SIZE: -011_+/- 1.17 acres						
GENERAL PLAN (existing) Gateway Specific Plan Area GENERAL PLAN (proposed) N/A							
ZONE (existing) GI (Gateway Industrial)	ZONE (proposed) N/A						
GENERAL PLAN FINDINGS ☐ CONSISTENT ☐	INCONSISTENT MAY BE/FINDINGS						
PLANNING COMMISSION DECISION: HEARING DATE:							
APRROVED [DENIED OTHER						
PLANNING DIRECTORS DECISION:	HEARING DATE: 06/14/23						
APPROVED [☐ DENIED ☐ OTHER						
ENVIROMENTAL EVALUATION COMMITTEE DECISION: HEARING DATE: N/A INITIAL STUDY: N/A							
☐ NEGATIVE DECLARATION ☐ MITIGATED NEG. DECLARATION ☐ EIR							
DEPARTMENTAL REPORTS / APPROVALS:							
PUBLIC WORKS NONE AG NONE APCD NONE E.H.S. NONE FIRE / OES NONE OTHER Quechan	ATTACHED ATTACHED ATTACHED ATTACHED ATTACHED ATTACHED						

REQUESTED ACTION:

IT IS RECOMMENDED THAT YOU CONDUCT A PUBLIC HEARING AND THAT YOU HEAR ALL THE OPPONENTS AND PROPONENTS OF THE PROPOSED PROJECT. STAFF WOULD THEN RECOMMEND THAT YOU APPROVE LOT MERGER #00151 BY TAKING THE FOLLOWING ACTIONS:

- 1. FIND THAT LOT MERGER #00151 IS CATEGORICALLY EXEMPT FROM CEQA PER ARTICLE 19, SECTION 15305 (MINOR ALTERATIONS IN LAND USE LIMITATIONS) AND THAT NO FURTHER ENVIRONMENTAL DOCUMENTATION IS NECESSARY; AND,
- 2. FIND THAT LOT MERGER #00151 IS CONSISTENT WITH APPLICABLE ZONING AND BUILDING ORDINANCES; AND,
- 3. APPROVE LOT MERGER #00151, SUBJECT TO THE CONDITIONS.

STAFF REPORT PLANNING COMMISSION MEETING June 14, 2023 Lot Merger #00151

Applicant:

Ismael Reyes

1031 Playa Del Norte Calexico, CA 92231

Project Location:

The proposed project site consists of three (3) Parcels located at 578 Meadowlark Road, Calexico, CA 92231, at the intersection of Gateway Road and Meadow Lark Road in the Gateway Specific Plan Area; and can be further identified as Assessor's Parcel Numbers (APN) 059-363-010 (Lot 1) 059-363-011 (Lot 2) legally described as Lot 1 & Lot 2, Block 4, of Gateway to the Americas subdivision No. 2, Unit 2, Tract No. 942 S.B.B.M. and APN 059-363-008 (Lot 5) legally described as Lot 5, Block 4 of Gateway to the Americas Subdivision No. 2, Unit 1, Tract No. 942. S.B.B.M.

Project Summary:

The applicant, Ismael Reyes, proposes to merge three (3) individual contiguous parcels into one (1) parcel for a truck parking facility which would be an allowed use with an approved Conditional Use Permit under the current Gateway Industrial Zone within the Gateway Specific Plan Area in the General Plan. The Gateway County Service Area (CSA) provides for roads, water and sewer to the project site.

Existing Parcels Size:

Lot 1 (059-363-010) - +/- 52,272 square feet (+/- 1.2 acres)

Lot 2 (059-363-011) - +/- 50,965.2 square feet (+/- 1.17 acres)

Lot 5 (059-363-008) - +/- 43,124.4 square feet (+/- .99 acre)

Proposed Parcel:

Parcel A - +/- 146,923.95 square feet (+/- 3.37 acres)

County Ordinance:

Lot Merger #00151 is consistent with the Imperial County Title 9 Land Use Ordinance, Section 90808.00. It is also consistent with the Gateway of the Americas Specific Plan minimum lot size of 20,000 square feet for zone GI (Gateway Industrial).

Land Use Analysis:

Lot Merger #00151 is consistent with the Imperial County Land Use Ordinance Code Section 90808.00 Lot Merger and meets all required findings. The project parcels are designated "Gateway Industrial" under the Imperial County's Gateway of the Americas Specific Plan.

Surrounding Land Uses, Zoning and General Plan Designations:

DIRECTION	CURRENT LAND	ZONING	GENERAL PLAN		
Project Site	Vacant	GI (Gateway Industrial)	Gateway Specific		
			Plan Area		
North	Vacant	GI (Gateway Industrial)	Gateway Specific		
			Plan Area		
South	Trucking Operation	GI (Gateway Industrial)	Gateway Specific		
			Plan Area		
East	Vacant	GC (Gateway	Gateway Specific		
		Commercial)	Plan Area		
West	Trucking Operation	GI (Gateway Industrial)	Gateway Specific		
	and Vacant Land		Plan Area		

Environmental Determination:

After review of the CEQA Guidelines, it has been determined that Lot Merger #00151 is categorically exempt from CEQA per Article 19, Section 15305 (a), Class 5 (minor alterations to land use limitations); therefore, no further environmental documentation is required by State law.

Staff Recommendation:

Staff recommends that the Planning Director hold a public hearing, hear all the proponents and opponents of the proposed project, and then take the following actions:

- Find that Lot Merger #00151 is categorically exempt from CEQA per Article 19, Section 15305 (Minor Alterations in Land Use Limitations) and that no further environmental documentation is necessary;
- 2. Find that Lot Merger #00151 is consistent with applicable Zoning and Building Ordinances; and
- 3. Approve Lot Merger #00151, subject to the attached conditions.

PREPARED BY:

Derek Newland, Planner II

Rlanning & Development Services

REVIEWED BY:

Michael Abraham, AICP, Assistant Director of

Planning & Development Services

APPROVED BY:

Jim Minnick, Director of

Planning & Development Services

ATTACHMENTS:

A. Vicinity Map

B. Site Plan

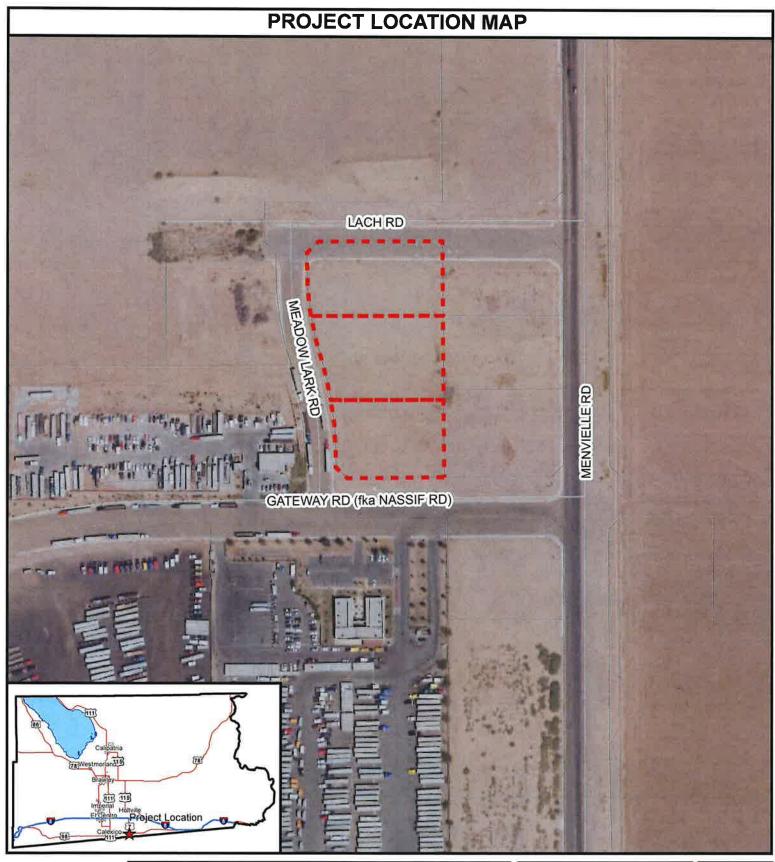
C. Resolution & Findings D. Conditions of Approval

E. Application & Supporting Documentation

F. Comment letters

S:\AllUsers\APN\059\363\010\MERG00151\PC\MERG00151 STAFF REPORT.docx

ATTACHMENT "A" Vicinity Map



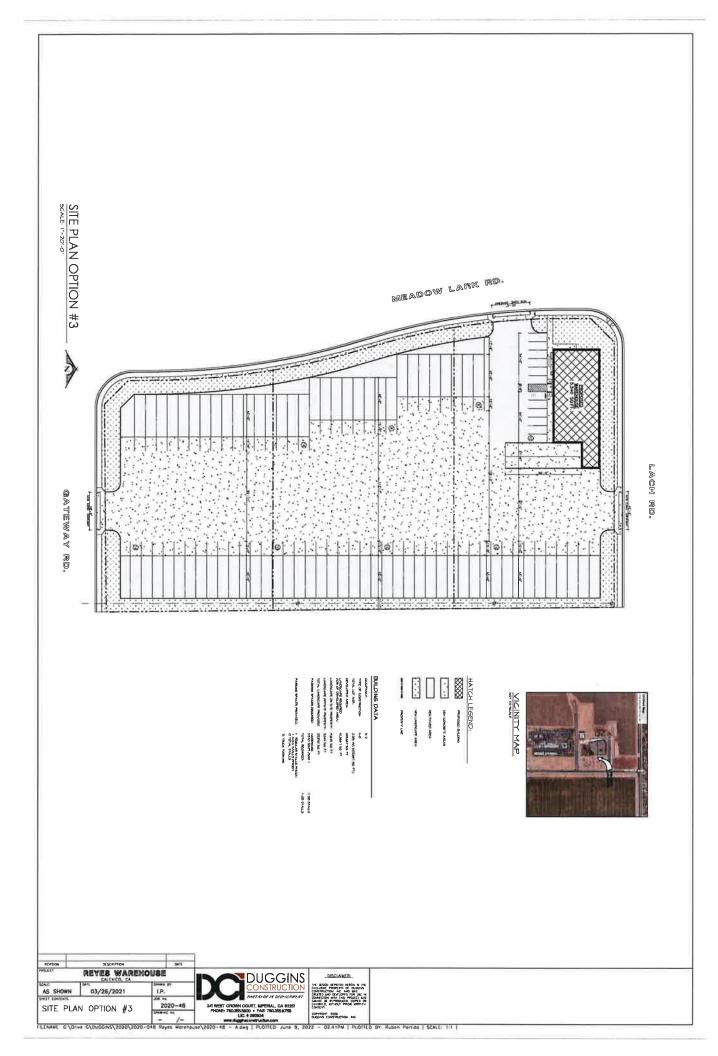


ISMAEL REYES MERG #0151 APN 059-363-008, 010, 011-000





ATTACHMENT "B" Site Plan



ATTACHMENT "C" Resolution & Findings

RESOLUTION NO.

A RESOLUTION OF THE PLANNING DIRECTOR OF THE COUNTY OF IMPERIAL, CALIFORNIA, APPROVING "LOT MERGER #00151 ISMAEL REYES."

WHEREAS, Ismael Reyes, submitted an application for Lot Merger #00151 to merge three (3) contiguous parcels for a proposed truck parking facility; and,

WHEREAS, the project is exempt from the California Environmental Quality Act (CEQA), per government code 15305; and,

WHEREAS, public notice of said application has been given, and the Planning Director has considered evidence presented by the Imperial County Planning & Development Services Department and other interested parties at a public hearing held with respect to this item on June 14, 2023; and

NOW, THEREFORE, the Planning Director of the County of Imperial DOES HEREBY RESOLVE as follows:

SECTION 1. The Planning Director has considered the proposed Lot Merger prior to approval. The Planning Director finds and determines that the Lot Merger is adequately prepared in accordance with the requirements of the Imperial County General Plan, Land Use Ordinance, Subdivision Map Act, and California Environmental Quality Act (which assesses environmental effects) based upon the following findings and determinations.

SECTION 2. That in accordance with State Planning and Zoning law and the County of Imperial regulations, the following findings for approving the Lot Merger #00151 have been made as follows:

A. Are the lots or parcels contiguous?

The three (3) parcels in the project are contiguous. The proposed merger is consistent with the Subdivision Map Act and the County of Imperial Land Use Ordinance Title 9 Section 90808.00.

B. The lot merger conforms to State Law and County Ordinance.

Lot Merger #00151 is zoned GI (Gateway Industrial) under the Gateway Specific Plan and conforms to both State Law and County of Imperial Ordinance.

C. The lot merger is between lots or parcels that were created by a parcel or tract map consistent with the Subdivision Map Act and County Ordinance in effect at the time they were created.

The lot merger is between lots or parcels that were created by a parcel or tract map consistent with the Subdivision Map act and County Ordinance in effect at the time they were created.

D. The lots or parcels are not separated or affected by any easement, right-ofway, road, alley or canal (including public utility easements).

The three (3) parcels are contiguous and will not result in any potential project-related or cumulative easement, right-of-way, road, alley, or canal impacts.

E. The parcel as merged will not be deprived of access as a result of the merger.

The project will not result in depriving access to any easement, right-of-way, road, alley, or canal (including private easements).

F. Access to the adjoining parcels will not be restricted by the merger.

Access to the adjoining parcels will not be restricted by the merger. The merged parcel will be bounded by Lach Road to the north, Meadow Lark Road to the west and Gateway Road to the south. Adjacent lots to the east are bound by Lach Road to the north, Menvielle Road to the east and Gateway Road to the south.

G. The parcel as merged will not conflict with the location of any existing structures on the property.

The merger does not conflict with the location of any existing structures on the property. All parcels are currently vacant.

H. No new lots are created through the merger.

The merger will not create new lots. The three (3) parcels will be combined to create one parcel.

NOW,	THEREFO	RE, based o	on the above	findings	, the Imper	ial Coun	ity Plan	nning Dire	ctor
DOES	HEREBY	APPROVE	Lot Merger	#00151,	subject to	the atta	ached	Condition	s of
Approv	val.								

Jim Minnick Imperial County Planning & Development Services Director

DNS:\ALLUSERS\APN\059\363\010\MERG00151\PDA\MERG00151 RESOLUTION.DOCX

ATTACHMENT "D" Conditions of Approval

CONDITIONS

OF APPROVAL

LOT MERGER (MERG) #00151

APN# 059-363-008-000, 059-363-010-000, & 059-363-011-000

NOTICE TO APPLICANT!

The above-referenced Lot Merger, upon approval by the County, shall be subject to all of the following conditions, which may include modification or rescission, in whole or in part, by the PLANNING DIRECTOR, PLANNING COMMISSION and/or BOARD OF SUPERVISORS from the conditions recommended by staff. In the event any conditions are deferred the APPLICANT or any subsequent owner(s), shall comply with all of the CONDITIONS specified herein, whether at the time of recordation of the Map/Legal Descriptions or prior to any development permits. It is the obligation of the property owner (current or future) to comply with these conditions; hereinafter the term "applicant" shall mean the current and future owners. If approved, this project having been reviewed for compliance with the General Plan, the Subdivision Map Act and County Land Use Ordinance, the applicant shall comply with all of the requirements of said documents whether specified herein or not.

GENERAL CONDITIONS:

[General Conditions may be either advisory or mandatory depending on the condition. These conditions appear on all lot mergers as generic conditions; however they are as important as the Site Specific Conditions. The Planning Director established these conditions to be consistent, to be informative, and to cover a broad range of generic requirements and notices. The term applicant(s) shall mean the current and future owner(s) of record.]

Unless expressly deferred in these conditions all conditions are to be satisfied prior to recordation of the lot merger.

- 1. The applicant shall pay any and all amounts as determined by the County to defray all costs for the review of reports, field investigations, or other activities related to compliance with this permit/approval, County Ordinances, and/or any other laws that apply to this Lot Merger.
- 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.
- 3. As a condition of this Lot Merger, the applicant agrees to defend, indemnify, hold harmless, and release the County, its agents, officers, attorneys, and employees from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the lot merger or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney's fees, or

expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this Lot Merger, whether or not there is concurrent, passive or active negligence on the part of the County, its agents, officers, attorneys, or employees.

- 4. Each parcel created or affected by this merger shall abut a maintained road and/or have legal and physical access to a public road before this Lot Merger is recorded.
- 5. Applicant shall provide water and sewer to Federal, State and County standards. Water and sewer systems shall be approved by the Environmental Health Services and the Planning & Development Services Department upon further development.
- The applicant shall comply with all County Fire Department regulations, rules and standards and shall meet all Fire Department requirements necessary to attain compliance upon further development. Any physical improvements required by the Fire Department shall be inspected and approved prior to a building permit being issued by the Planning & Development Services Building Department.
- All applicable plans, reports, and studies shall be reviewed and approved by the respective responsible agencies when further development occurs for constructing or installing any site improvements and the installation of future improvements shall be reviewed, inspected, and approved by the respective responsible agency.
- 8. Applicant shall provide a full legal description acceptable to the Planning & Development Services Department, for review and approval by the County Department of Public Works. The legal description shall be prepared, signed and stamped along with closure sheets by a California Licensed Land Surveyor or a California Registered Civil Engineer licensed to practice in the category of work performed. The legal description shall be typed on plain bond paper (8 ½" x11"). Letterhead is not acceptable.
- 9. Applicant shall obtain a **Tax Certificate** from the Tax Collector.
- 10. Applicant shall pay all applicable fees for the recordation of the **Certificate of Compliance and the Tax Certificate.**

SITE SPECIFIC CONDITIONS:

PUBLIC WORKS CONDITIONS:

1. The deed of trust on Assessor's Parcel Number 059-363-010-000 shall be removed or the terms of the deed of trust must be modified so as to burden the entirety of the merged lots collectively, prior to recordation. Per Public Works comment letter dated March 16, 2023.

ATTACHMENT "E" Applications & Supporting Documentation

LOT MERGER I.C. PLANNING & DEVELOPMENT SERVICES DEPT 801 Main Street, El Centro, CA 92243 (760) 482-4236

- APPLICANT MUST COMPLETE ALL NUMBERED (black) SPACES - Please type or print -**EMAIL ADDRESS** PROPERTY OWNER'S NAME ismael Keye irevesptbing com ZIP CODE 2 PHONE NUMBER 2. MAILING ADDRESS 760) 801-6898 CAL LICENSE NO. **EMAIL ADDRESS** ENGINEER'S NAME 3 BJ Braineening harveya bjengandsuv. Com MAILING ADDRESS ZIP CODE PHONE NUMBER 4 9225 W. Crown 760) 353-3552 PROPERTY "A" (site) ADDRESS LOCATION 5. leadow Lark Rd zatewai to the Amencas PROPERTY "A" ASSESSOR'S PARCEL NO.(s) SIZE OF PROPERTY (in acres or square foot) 059-363-010 .20 7. **EXISTING USE CURRENT ZONE** acant PROPERTY "A" LEGAL DESCRIPTION (attach separate sheet if necessary) 8. PROPERTY "B" (site) ADDRESS 9. LOCATION readow Lark Ra atawai Amen cas PROPERTY "B" ASSESSOR'S PARCEL NO.(s) SIZE OF PROPERT♥ (in acres or square foot) **EXISTING USE CURRENT ZONE** 12. PROPERTY "B" LEGAL DESCRIPTION (attach separate sheet if necessary) EXPLAIN PURPOSE/REASON FOR LOT MERGER PROPOSED MERGED PARCEL SIZE PROPOSED USE 371 PLEASE PROVIDE CLEAR & CONCISE INFORMATION (ATTACH SEPARATE SHEET IF NEEDED) DESCRIBE PROPOSED SEWER SYSTEM(s) Cunnec 16 DESCRIBE PROPOSED WATER SYSTEM DESCRIBE PROPOSED ACCESS TO MERGED PARCEL IS THIS PARCEL PLANNED TO BE ANNEXED? IF YES, TO WHAT CITY or DISTRICT? 18. ☑ No ☐ Yes I / WE THE LEGAL OWNER (S) OF THE ABOVE PROPERTY CERTIFY THAT REQUIRED SUPPORT DOCUMENTS THE INFORMATION SHOWN OR STATED HEREIN IS TRUE AND CORRECT. SITE PLAN Print Name (owner PROPOSED LEGAL DESCRIPTION Signature (owner) PRELIMINARY TITLE REPORT (6 months or newer) Print Name (Agent) Date D. FEE An owners notarized affidavit is OTHER required if application is signed by Signature (Agent) APPLICATION RECEIVED BY: REVIEW / APPROVAL BY DATE OTHER DEPT'S required. APPLICATION DEEMED COMPLETE BY: DATE MERG# □ P. W. □ E. H. S. APPLICATION REJECTED BY: DATE A.P.C.D. 00151 O.E.S. TENTATIVE HEARING BY: DATE FINAL ACTION: □ APPROVED DENIED DATE

Property "C"

Address: Meadow Lark Road - Calexico, CA

Location: Gateway to the Americas

APN: 059-363-008

Size of Property: 0.99 AC

Existing Use: Vacant Land

Current Zone: GI

Legal Description: Lot 5 of FM 19-24

EXHIBIT "A" LOT MERGER NO. _____ LEGAL DESCRIPTION

PARCEL "A"

BEING A MERGER OF LOTS 1 AND 2 OF THE GATEWAY TO THE AMERICAS SUBDIVISION NO.2 – UNIT 2, TRACT NO. 942, IN AN UNINCORPORATED AREA OF THE COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO FINAL MAP ON FILE IN BOOK 22, PAGE 74 OF FINAL MAPS AND LOT 5 OF THE GATEWAY TO THE AMERICAS SUBDIVISION NO.2 – UNIT NO.1, TRACT NO. 942, IN AN UNINCORPORATED AREA OF THE COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO FINAL MAP ON FILE IN BOOK 19, PAGE 24 OF FINAL MAPS, ALL IN THE OFFICE OF THE COUNTY RECORDER OF IMPERIAL COUNTY.

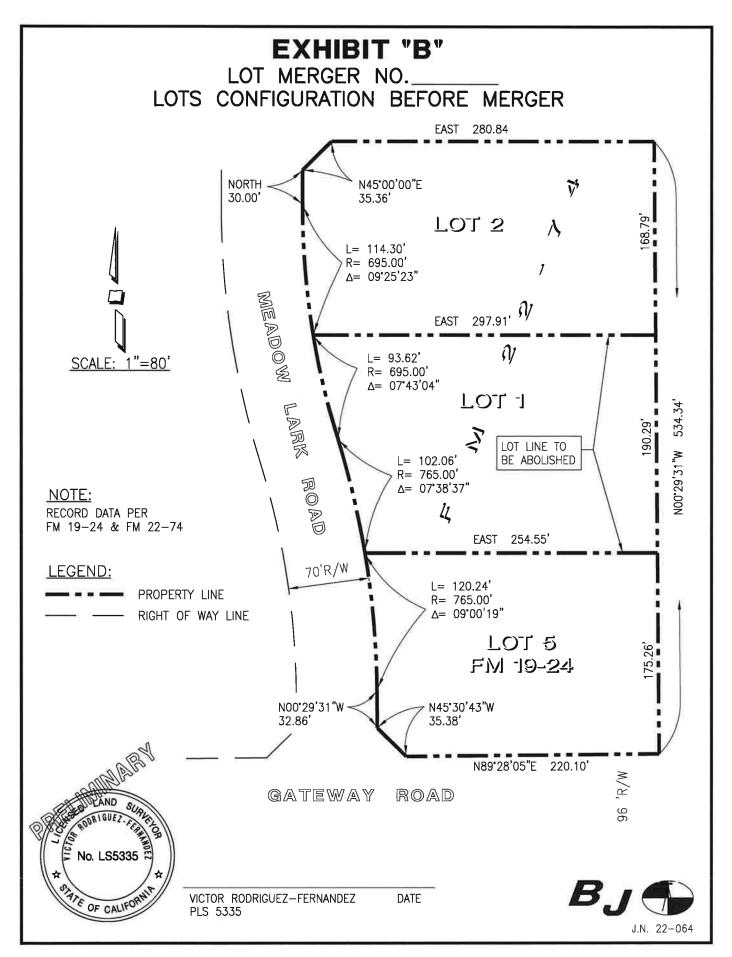
THE ABOVE DESCRIBED PARCEL CONTAINS 146,923.95 SQUARE FEET (3.37 ACRES), MORE OR LESS.

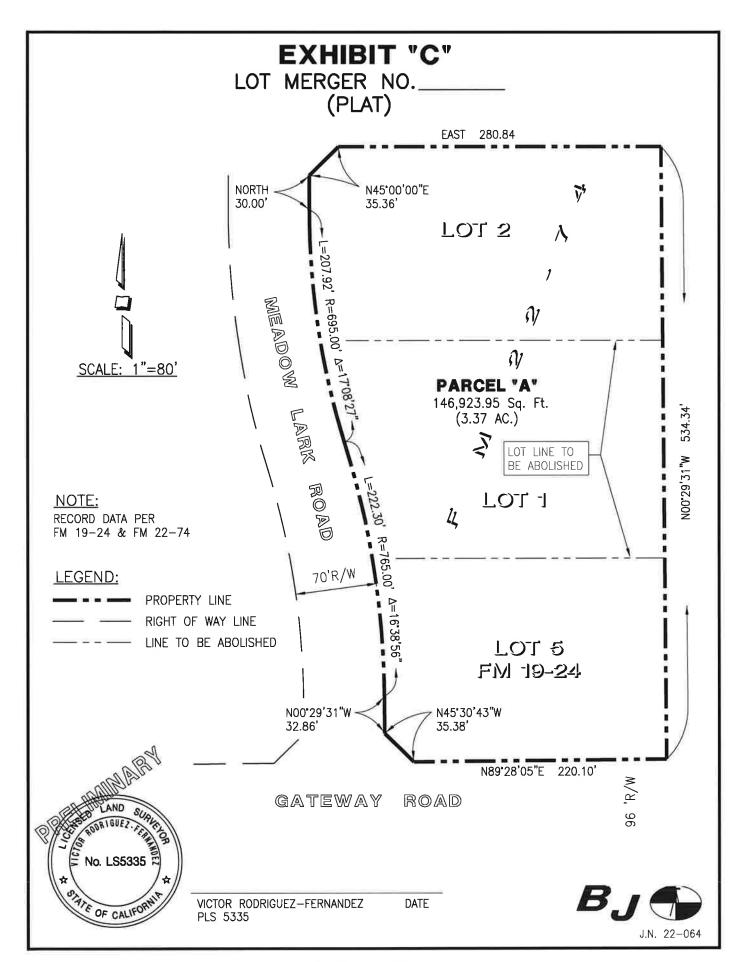
THE ABOVE DESCRIBED REAL PROPERTY SHALL BE HELD AS ONE PARCEL AND NO PORTION THEREOF SHALL BE SOLD SEPARATELY.

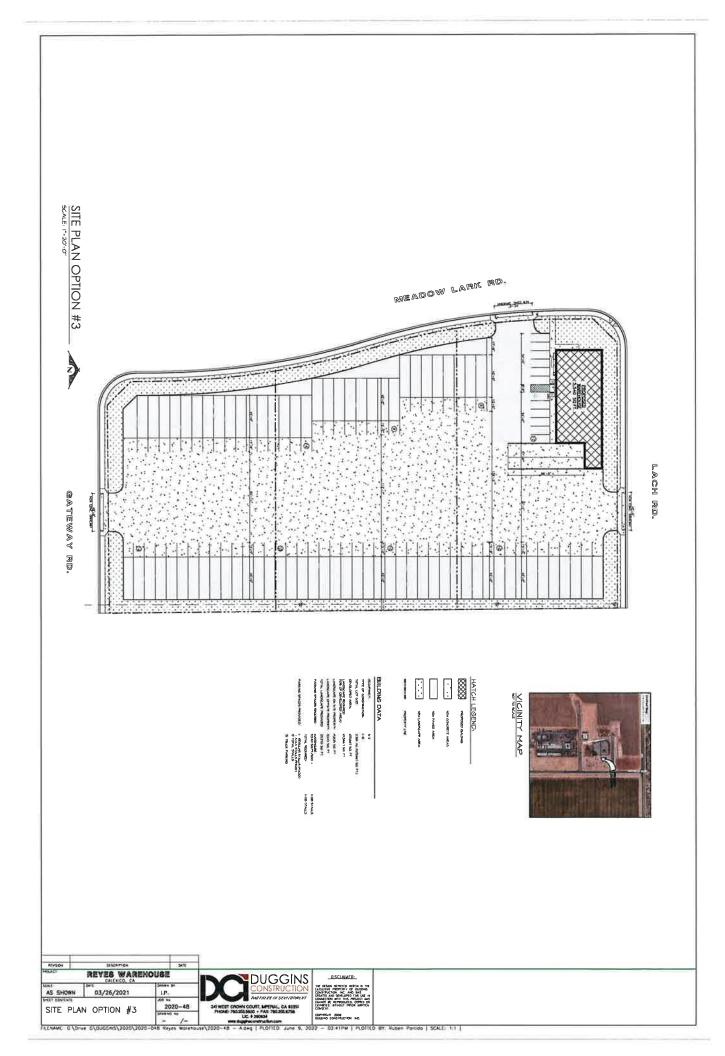
ALL AS MORE PARTICULARLY SHOWN ON EXHIBIT "C" ATTACHED HERETO AND MADE A PART HEREOF.

VICTOR RODRIGUEZ-FERNANDEZ
PLS 5335

VICTOR RODRIGUEZ-FERNANDEZ
PLS 6335







ATTACHMENT "F" Comment Letters



COUNTY OF

DEPARTMENT OF PUBLIC WORKS

155 S. 11th Street El Centro, CA 92243

Tel: (442) 265-1818 Fax: (442) 265-1858

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Public Works works for the Public





March 16, 2023

Mr. Jim Minnick, Director Planning & Development Services Department 801 Main Street El Centro, CA 92243

Attention: Michael Abraham, Assistant Director

SUBJECT: LM 151 - Ismael Reyes; located on 578 Meadow Lark Road. Calexico

CA. APN's 059-363-010; 059-363-011.

Dear Mr. Minnick:

This letter is in response to your submittal package received by this department on June 17, 2022 for the above mentioned project. The applicant proposes to merge 3 lots for a truck parking facility.

Department staff has reviewed the package information and the following comments are provided for the applicant use:

• One of the three lots intended to be merged, Lot 1 of Tract Map 942, Subdivision No. 2 – Unit 2, recorded in book 22 of final maps at page 75, is encumbered by a deed of trust to secure a debt. Prior to issuance of a notice of merger, the Applicant shall cause said encumbrance to be removed, or cause the terms of the deed of trust to be modified so as to burden the entirety of the merged lots collectively.

Should you have any questions, please do not hesitate to contact this office. Thank you for the opportunity to review and comment on this project.

Respectfully,

John Gay, PE

Director of Public Works

GM/gv



TELEPHONE: (442) 265-1800 FAX: (442) 265-1799

June 28, 2022

Jim Minnick
Planning & Development Services Director
801 Main Street
El Centro, CA 92243

SUBJECT:

Lot Merger MERG00151 Ismael Reyes

Dear Mr. Minnick,

The Imperial County Air Pollution Control District ("Air District") appreciates the opportunity to review and comment on Lot Merger MERG00151 ("Project") that will merge three lots for a truck parking facility. The project is located at 578 Meadow Lark Road, Calexico, CA and proposes merging the lots identified by APNs 059-363-008, 059-363-010, and 059-363-011.

While the Air District does not have any comments on the lot merger itself, the Air District would like to remind the applicant that all future development and operations must comply with all Air District rules and regulations. The Air District would emphasize and bring to the attention of the applicant, Regulation VIII – Fugitive Dust Rules which is collection of rules designed to mitigate fugitive dust emissions during construction and operation of projects.

For your convenience the Air District's rules and regulations are available via the web at https://apcd.imperialcounty.org/rules-and-regulations/. Please feel free to call our office should you have questions at (442) 265-1800.

Respectfully,

Ismael Garciá

APC Environmental Coordinator I

Monica N. Soucier

APC Division Manager

Derek Newland

From: Quechan Historic Preservation historicpreservation@quechantribe.com

Sent: Monday, June 20, 2022 9:23 AM **To:** Rosa Soto; ICPDSCommentLetters

Subject: RE: Request for Comments MERG00151 APN 059-363-010/011-000

CAUTION: This email originated outside our organization; please use caution.

This email is to inform you that we have no comments on this project.

From: Rosa Soto [mailto:RosaSoto@co.imperial.ca.us]

Sent: Friday, June 17, 2022 3:15 PM

To: Rosa Lopez; Esperanza Colio; Miguel Figueroa; Eric Havens; Monica Soucier; Belen Leon; Matt Dessert; Guillermo Mendoza; John Gay; Robert Menvielle; Margo Sanchez; Ana L Gomez; Jolene Dessert; Sandra Mendivil; Carlos Ortiz; Robert Benavidez; Ray Loera; Scott Sheppeard; RKelley@icso.org; Manuel Deleon; Marcus Cuero; Ray Castillo; Andrew Loper; Alfredo Estrada Jr; Robert Malek; Donald Vargas; Cervantes, Laura; H. Jill McCormick; Jordan D. Joaquin; Jeff Lamoure; Mario Salinas; Alphonso Andrade; Jorge Perez; Vanessa Ramirez

Cc: Jim Minnick; Michael Abraham; Linda Hunt; Melissa Pacheco; Leslie Martinez; John Robb; Rosa Soto

Subject: Request for Comments MERG00151 APN 059-363-010/011-000

Good Afternoon,

Please see attached Request for Comments packet for MERG00151 APN 059-363-010/011-000 {Ismael Reyes}.

Comments are due by July 02, 2022 at 5:00PM.

In an effort to increase the efficiency at which information is distributed and reduce paper usage, the Request for Comments packet is being sent to you via this email.

Should you have any questions, please feel free to contact Michael Abraham at (442) 265-1736, or submit your comment letters to ICPDScommentletters@co.imperial.ca.us.

Thank you,

Rosa A. Soto

I.C. Planning & Development Services 801 Main St. El Centro, CA 92243 (442) 265-1736-P (442) 265-1735-F

rosasoto@co.imperial.ca.us

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