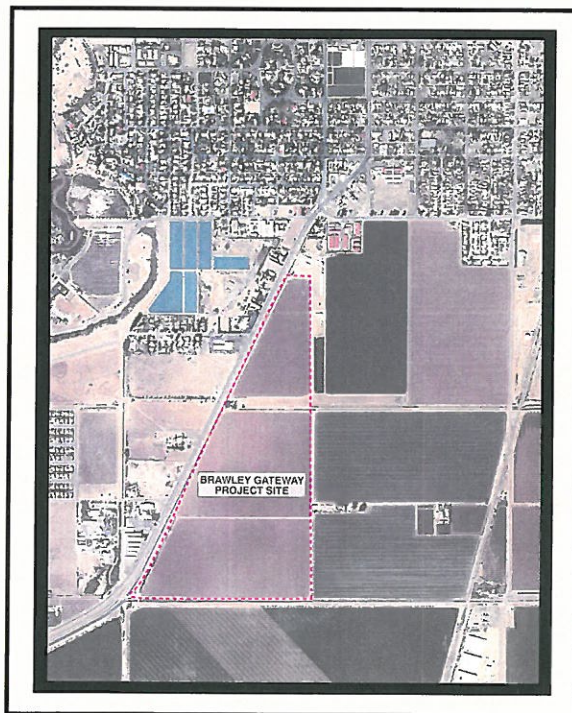


F E B R U A R Y 2 0 0 4

Brawley Gateway General Plan Amendment And Specific Plan Amendment



Prepared For:



City of Brawley
400 Main Street
Brawley, California 92227

Applicant:

The Church Brothers
P.O. Box 509
Salinas, California, 93902

Prepared By:

EDAW

EDAW, Inc.
1420 Kettner Boulevard, Suite 620
San Diego, CA 92101-2434

**BRAWLEY GATEWAY
GENERAL PLAN AMENDMENT
AND SPECIFIC PLAN AMENDMENT**

Applicant:

The Church Brothers
P.O. Box 509
Salinas, California 93902

Submitted to:

City of Brawley
400 Main Street
Brawley, California 92227

Prepared by:

EDAW, Inc.
1420 Kettner Boulevard, Suite 620
San Diego, California 92101

CONTENTS

Brawley Gateway Specific Plan
Appendix A - Revised Page 31 of Brawley General Plan Land Use Element
Appendix B - Revised Traffic Study
Appendix C - Hydrology Report

February 2004

TABLE OF CONTENTS

<u>Section</u>	<u>Page</u>
I. PROJECT DESCRIPTION	1
A. Project Concept	1
B. Overview of Project	1
C. Required Development Approvals.....	4
D. Purpose of this Report.....	4
II. LOCATION AND SETTING.....	7
A. Project Location	7
B. Environmental Setting	7
C. Community Infrastructure.....	7
1. Water System	8
2. Wastewater System.....	8
3. Vehicular Access	10
4. Franchise Utility Facilities	10
5. Schools.....	12
6. Parks.....	12
7. Fire	13
8. Police.....	13
III. LAND USE PLAN AND DEVELOPMENT STANDARDS	14
A. Overall Concept	14
B. Compatibility with City Goals and Policies.....	14
C. Development Standards	16
1. Retail Commercial	16
2. Office Commercial.....	17
3. Industrial	18
4. Single Family Residential	19
5. Multi-Family Residential	19
D. Project Phasing.....	20
E. Implementation Procedures	20

TABLE OF CONTENTS

<u>Section</u>	<u>Page</u>
IV. CONFORMANCE TO THE BRAWLEY GENERAL PLAN	21
A. Land Use Element	21
1. Special Study Area Designation	21
2. Land Use Element Goals	23
B. Infrastructure Element	25
C. Resource Management Element	27
D. Open Space/Recreation Element.....	28
E. Public Safety/Noise Element	28
F. Economic Development Element	29
G. Housing Element.....	30
V. INFRASTRUCTURE PLAN.....	31
A. Proposed Facilities and Estimated Impact Fees.....	31
1. Water System	32
2. Sewer System.....	32
3. Street Improvements	33
4. Storm Drain Improvements.....	37
5. Fire and Police Services.....	37
6. Parks and Recreation Facilities.....	38
7. Library Facilities	38
8. Solid Waste Services.....	38
9. City Administrative Services	38
10. Schools.....	38
B. Description of Proposed Financing Methods.....	38
1. Exactions.....	39
2. Impact Fees	39
3. Special Assessments	40
4. Improvement Districts	41
5. Facilities Benefit Assessments.....	41
6. Mello-Roos Community Facilities Districts	41

APPENDICES

- A Revised Page 31 of Brawley General Plan Land Use Element
- B Traffic Impacts and Mitigation Program
- C Hydrology Report

LIST OF TABLES

<u>Table</u>		<u>Page</u>
1	Proposed Land Use Designations	4
2	Planned Land Use Allocation	23
3	Recommended Public Facility Financing Methods	31
4	Project Impacts, Year 2005 Traffic + Phase 1 Project.....	34
5	Project Impacts, Year 2015 Traffic + Phase 2 Project.....	36

LIST OF FIGURES

<u>Figure</u>		<u>Page</u>
1	Vicinity Map	2
2	Brawley General Plan	3
3	Brawley Gateway Specific Plan.....	5
4	Community Infrastructure.....	9
5	Brawley Circulation Plan.....	11
6	Special Study Areas	22

BRAWLEY GATEWAY GENERAL PLAN AMENDMENT AND SPECIFIC PLAN AMENDMENT

I. PROJECT DESCRIPTION

A. Project Concept

Brawley Gateway is a 148-acre planned development of single family and multi-family residential, commercial and industrial uses that has been designed to accomplish the following goals:

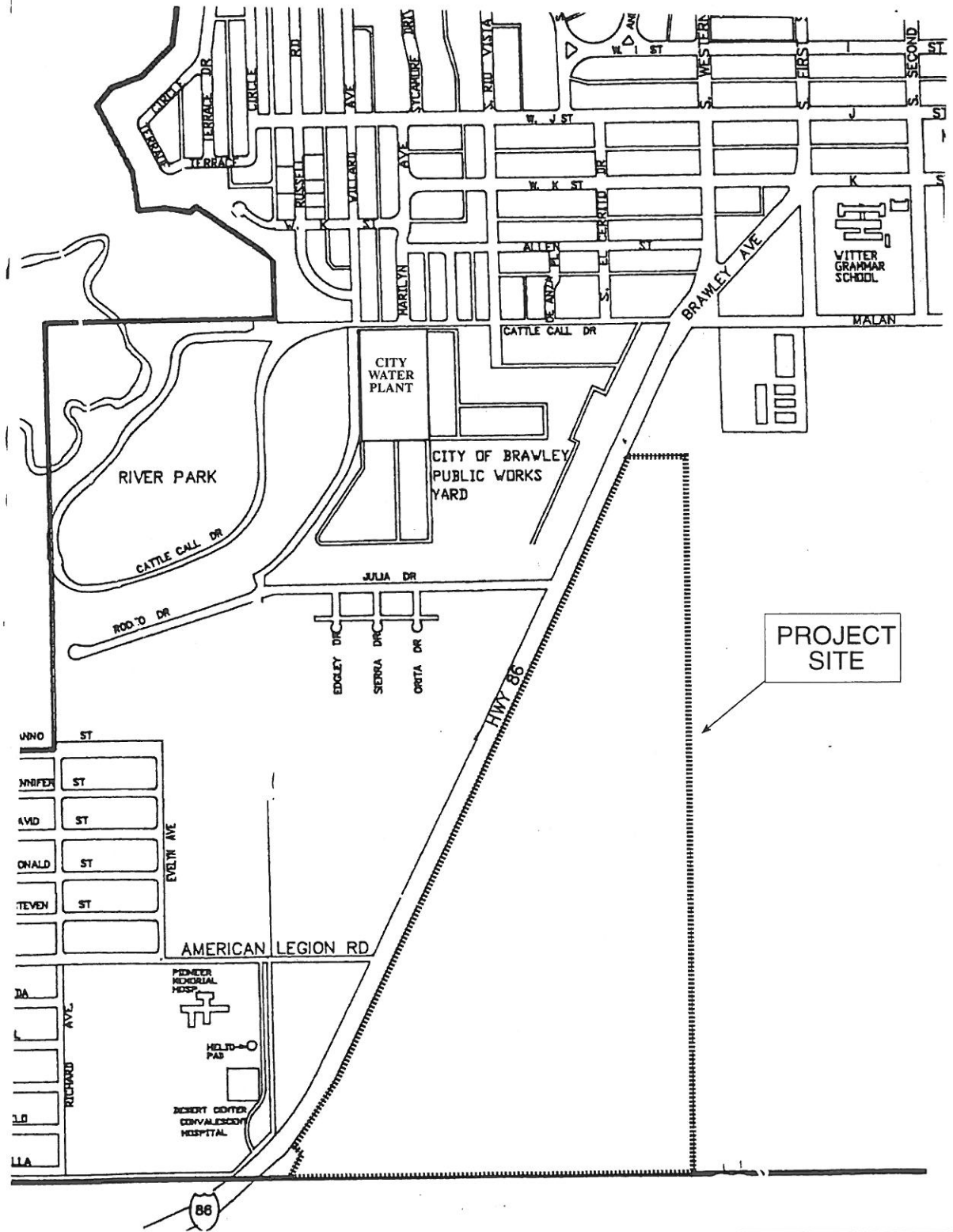
- Establish a high quality, multi-use commercial and industrial activity center for the southern entry into Brawley on Highway 86.
- Accommodate single-family and multi-family residential uses in accordance with the Brawley General Plan.
- Plan for the provision of water, sewer, drainage, and transportation improvements that will be constructed in appropriate phases as development proceeds.

B. Overview of Project

The proposed Brawley Gateway is located on the east side of Highway 86, south of Malan Street and north of the future extension of Mead Road. The project consists of a general plan amendment, rezone and subdivision of the 148-acre site that will enable development of individual lots with residential and industrial uses, and the development of a community shopping center with retail uses, major market, food services, and professional offices and services. A cinema is also permitted if determined to be feasible.

The project location is shown on Figure 1. Figure 2 shows the location of the project on the Brawley General Plan. Table 1 is a summary of planned land uses.

Figure 1 Vicinity Map

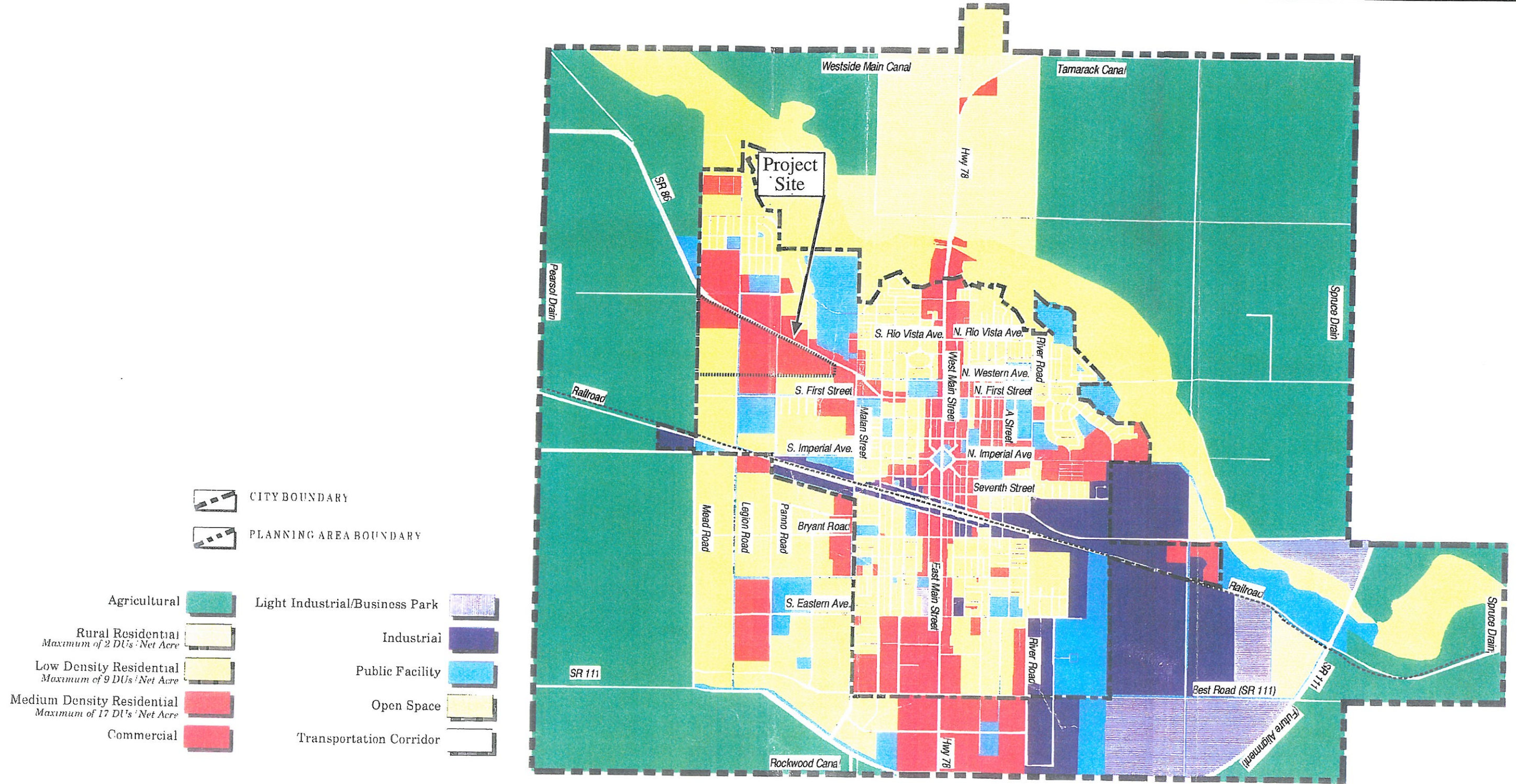


Source: Brawley General Plan

Figure 1
Vicinity Map



Figure 2 Brawley General Plan



Source: Brawley



Figure 2
Land Use Policy Map

Table 1
Proposed Land Use Designations

Land Use	Acres	Dwelling Units	Density
Single-Family Density Residential	25.5	128	5.0 du/ac ⁽¹⁾
Multi-Family Residential	10.7	182	17 du/ac ⁽¹⁾
Retail Commercial	47.0	n/a	n/a
Office Commercial	5.5	n/a	n/a
Industrial	44.0	n/a	n/a
Roads	15.2	n/a	n/a
Total	147.9	310	n/a

⁽¹⁾ Dwelling units per acre

C. Required Development Approvals

As shown on Figure 2, the Brawley General Plan designates the project site for a variety of uses: “Commercial” along the Highway 86 frontage south of Panno Road; “Low Density Residential” south of Legion Road; and “Medium Density Residential” along Highway 86 between Malan Street and Panno Road, and also between Panno Road and Legion Road. A “Public Facility” designation follows an existing drain along the easterly extension of Legion Road. The project site is also a portion of an area designated as the “East Highway 86 Special Study Area” by the Brawley General Plan. For these areas the General Plan states: “While the Land Use Policy map depicts an expected arrangement of land uses for these areas, a large scale specific plan could alter the arrangement of uses while maintaining the percentages shown in Table LU-4.” A general plan amendment, specific plan amendment (SPA) and rezone are needed to reflect the planned uses proposed for the 148-acre site as shown on Figure 3.

D. Purpose of this Report

This SPA replaces Specific Plan 01-01 approved by the Brawley City Council on January 2, 2002 (Resolution No. 2002-06). The purpose of the SPA is to reflect changes to the footprint of development proposed by a purchaser of the main commercial site located on the south side of Panno Road. Current plans for commercial uses on the site include development with a retail store with a floor area of approximately 190,000 square feet. The SPA also reflects changes in proposed development phasing, infrastructure improvements, and coordination with city staff and the California Department of Transportation (Caltrans) on proposed road improvements.

Figure 3 Brawley Gateway Specific Plan

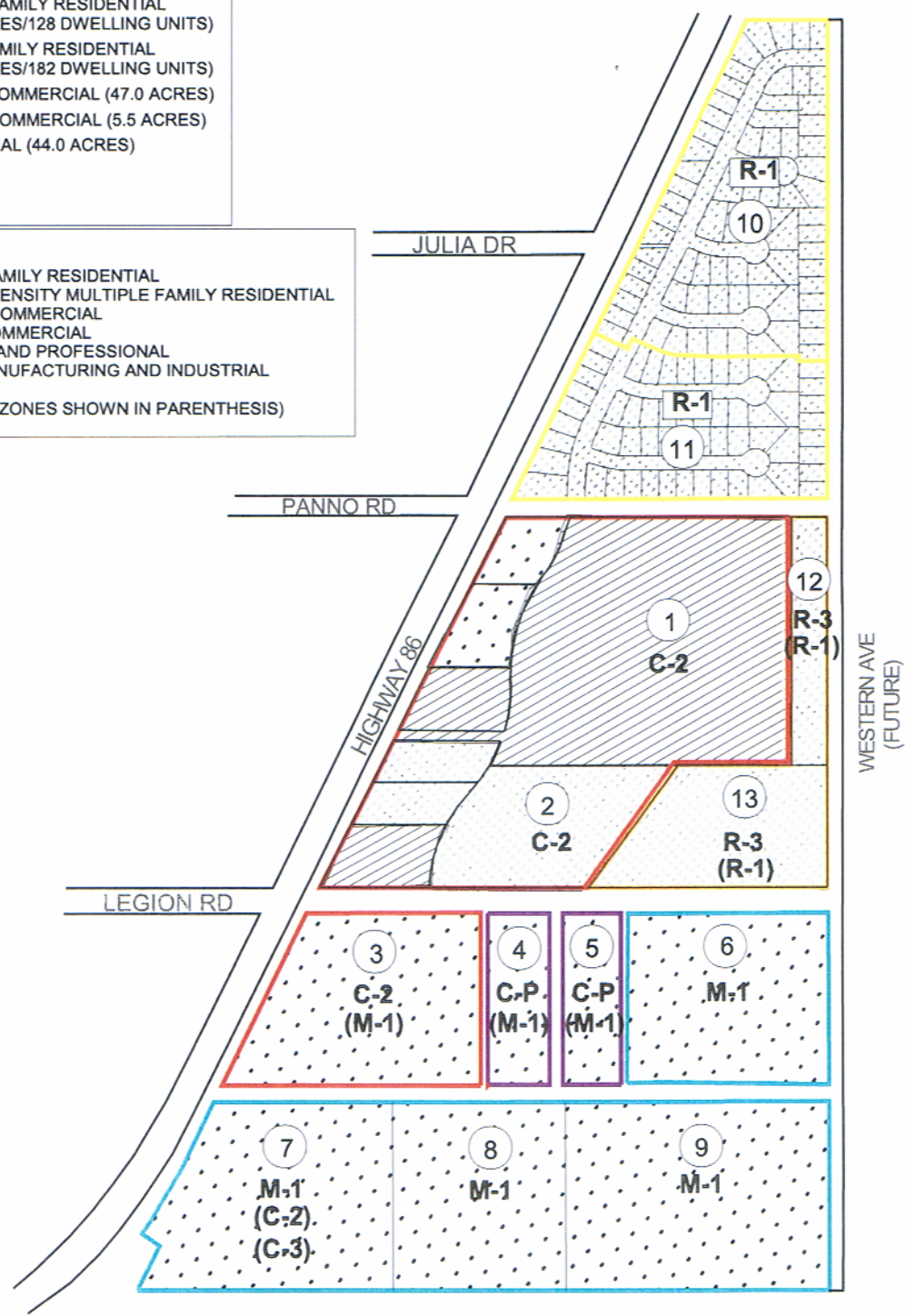
LAND USE PLAN

	SINGLE FAMILY RESIDENTIAL (25.5 ACRES/128 DWELLING UNITS)
	MULTI-FAMILY RESIDENTIAL (10.7 ACRES/182 DWELLING UNITS)
	RETAIL COMMERCIAL (47.0 ACRES)
	OFFICE COMMERCIAL (5.5 ACRES)
	INDUSTRIAL (44.0 ACRES)
	PHASE 1
	PHASE 2
	PHASE 3

ZONING PLAN

R-1	SINGLE FAMILY RESIDENTIAL
R-3	MEDIUM DENSITY MULTIPLE FAMILY RESIDENTIAL
C-2	MEDIUM COMMERCIAL
C-3	HEAVY COMMERCIAL
C-P	SERVICE AND PROFESSIONAL
M-1	LIGHT MANUFACTURING AND INDUSTRIAL

(ALTERNATIVE ZONES SHOWN IN PARENTHESIS)



Source: EDAW Inc.

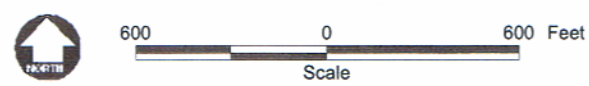


Figure 3
Brawley Gateway Specific Plan

The purpose of a Specific Plan, as defined by California Government Code (Title 7, Chapter 3, Article 8, Section 65450, *et seq.*) is to accomplish “the systematic implementation of the general plan.” The purpose of the Brawley Gateway Specific Plan is to designate permitted land uses within the project site, plan for the phased construction of public infrastructure improvements, and specify development guidelines that will best enable accomplishment of the project’s land use goals.

This report also analyzes the project’s conformance to applicable goals and policies of the Brawley General Plan and each of its Elements. This analysis is intended to demonstrate that the proposed change in land use designations is compatible with the General Plan and will better implement the City’s overall planning goals and enable a better use of the subject site than would be permitted under the existing general plan designations.

II. LOCATION AND SETTING

A. Project Location

The Brawley Gateway site is located along the east side of State Highway 86 approximately one-half mile south of State Highway 78/Main Street. The site includes approximately 4,750 feet of frontage along Highway 86 and extends from a point 1,200 feet south of Legion Road to 850 feet north of Julia Drive. The unimproved southerly extension of Western Avenue forms the east boundary of the property and the unimproved westerly extension of Mead Road is adjacent to the south.

B. Environmental Setting

The project site consists of cropland, presently planted in cotton. Similar agricultural fields are located to the east and south, while urban uses are located to the north and west. Across highway 86 to the west are the Desert Center Convalescent Hospital, Pioneers Memorial Hospital, vacant commercial property, Del Norte Chevrolet dealership, Frye Chapel and Mortuary, a gift shop, restaurant, and residences. To the north and northeast are agricultural storage buildings, including a crop dusting service. The airstrip for the crop dusting service extends easterly from the eastern project boundary, near the middle of the project. Formerly, a portion of the site was also utilized for the airstrip, but this use is no longer permitted by the property owner. Nearby to the northeast is an apartment complex.

C. Community Infrastructure

For this subsection, two City of Brawley documents, *Master Plan for the Water Distribution System* (Pountney & Associates 1999) and *Master Plan for the Wastewater Collection System* (Roy F. Weston, Inc. 1999) provided information on water and wastewater within the Brawley Gateway Specific Plan Area. The two documents recommended improvements to the existing water and wastewater system to assist planning for the projected growth of the area. Information on franchise utilities (e.g., overhead electrical lines, Imperial Irrigation District (IID) lines and Southern California Gas lines) was derived from personal communications with City or utility agency staff.

1. Water System

The City of Brawley purchases raw imported Colorado River water from IID, which receives the water via the All American Canal and then delivers it to the City of Brawley via the Mansfield and Central Main Canals. Water to be used for domestic and industrial/commercial uses is delivered to the City of Brawley Water Treatment Plant (WTP) where the water is then filtered and disinfected before it is pumped into the water distribution system. The existing water distribution system consists of three storage facilities, two pump stations, and approximately 75 miles of 4-inch to 24-inch water mains.

The City recently completed construction of a new WTP. The plant has been constructed to comply with the surface water treatment rule, to alleviate problems that were occurring at the existing WTP and to provide increased levels of filtration and disinfection. The new WTP is located on Cattle Call Drive to the west of Highway 86.

The permanent and temporary lines surrounding and serving the specific plan area are shown in Figure 4 and summarized below:

- the Bryant Main Canal adjacent to Highway 86 along the western side of the specific plan area
- the Best Canal just south of and parallel to Panno Road

The connections for water would be at the existing 12-inch lines within Legion Road and along the west side of Highway 86.

2. Wastewater System

The City's wastewater collection system was established over 70 years ago. The system includes two lift stations, approximately 65 miles of wastewater collection lines ranging from 6 to 30 inches, and 1.5 miles of force main. All of the collectors and mains flow to the City's wastewater treatment plant (WWTP), which discharges into the New River.

The existing WWTP for the City of Brawley is being upgraded to handle projected flows through 2020. The new plant is in need of additional capacity to accommodate existing and near term development in the City, and Phase 1 of construction is anticipated to begin in 2002.

Figure 4 Community Infrastructure

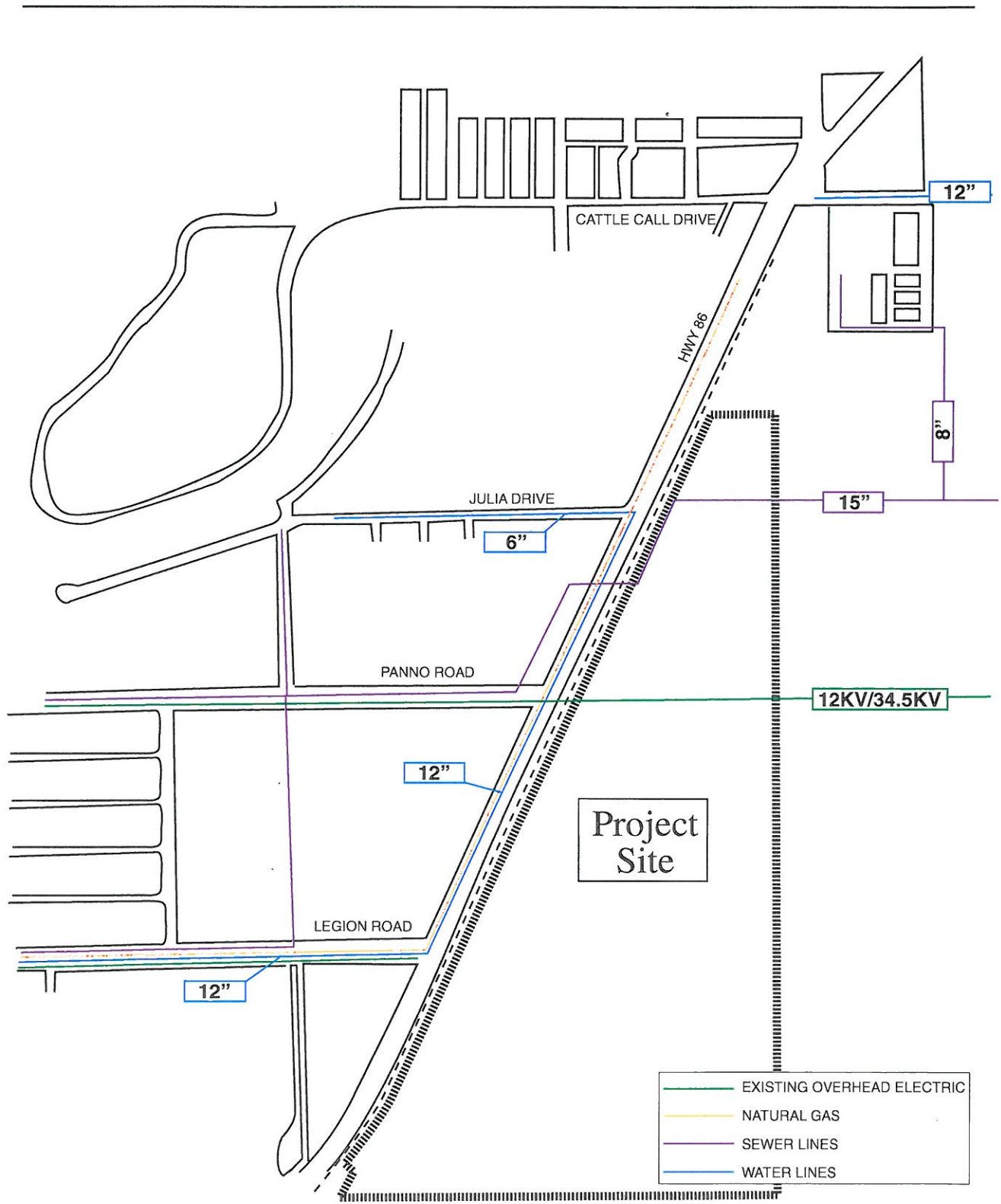


Figure 4
Community Infrastructure

The existing wastewater collection lines surrounding and serving the specific plan area are shown in Figure 4 and summarized below:

- an existing 15-inch sewer line enters the property from the west side of Highway 86, crosses the Bryant Main Canal just south of Julia Drive and continues north and east through the property to an existing force main located east of the railroad
- an existing 8-inch line within the unimproved Western Avenue near the northeast corner of the specific plan area. This line continues off-site to the east and connects to the 15-inch line described above.

3. Vehicular Access

Highway 86, a four-lane roadway located along the westerly boundary of the Brawley Gateway site, provides the only existing improved access to the property. The Circulation Plan of the Brawley General Plan (Figure 5) designates Highway 86 as a four-lane “Major Arterial” with a right of way width of 100 feet. Ultimately, much of the through traffic currently carried on Highway 86 would shift to the future SR-111 when it is constructed as a by-pass along the easterly side of the city.

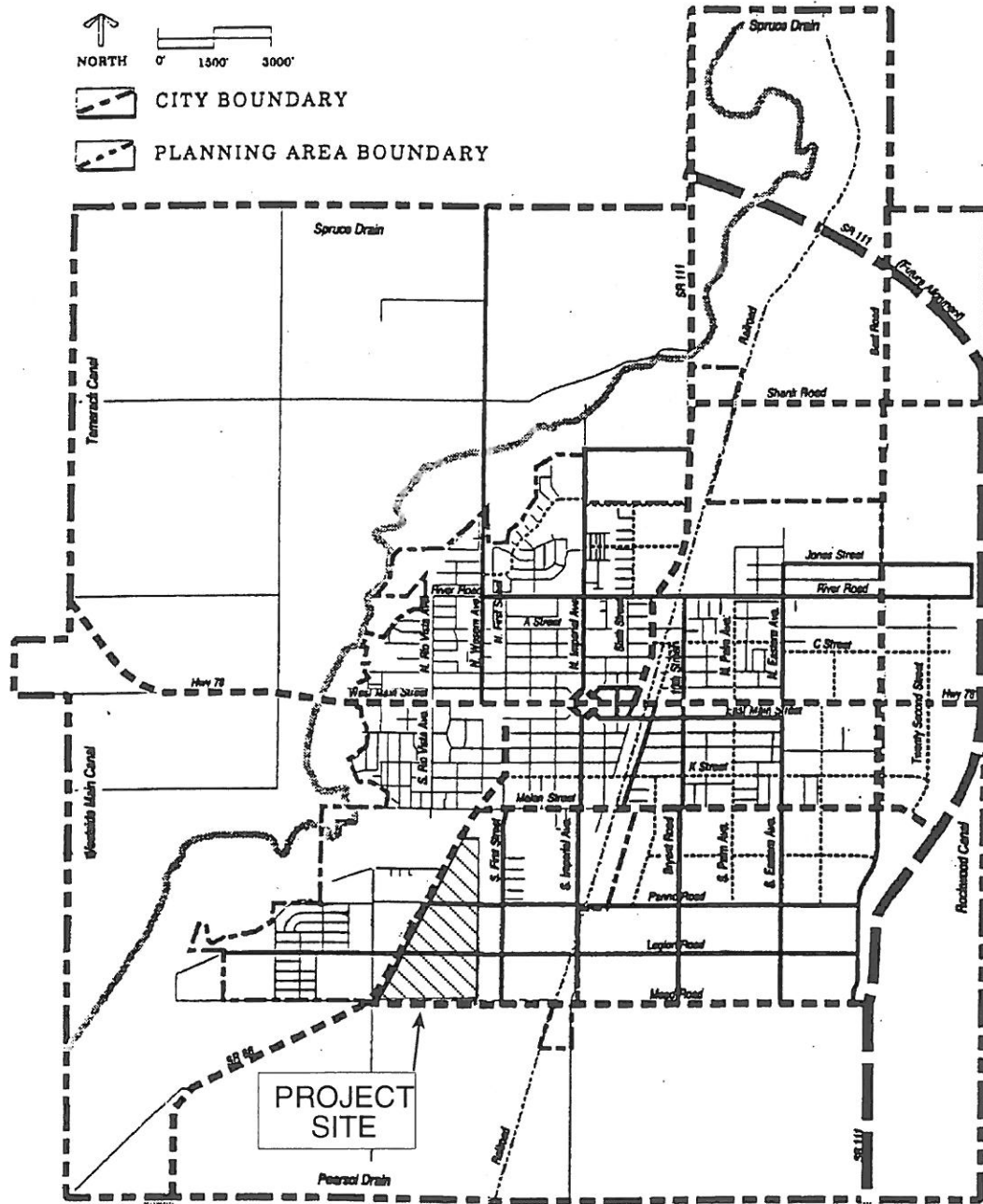
Within the project site, Legion Road is shown as a “Secondary Arterial” that would provide one through lane in each direction and a continuous dual left turn center lane within a right of way width of 72 feet. Panno Road would be improved as a 4-lane Major Arterial with a right of way width of 100 feet that is planned to extend from Highway 86 to Highway 111. Adjacent to the south of the site would be located the future Mead Road, a planned Major Arterial that would also connect Highway 86 and SR-111. Nearby to the north, Malan Street would also ultimately serve as a Major Arterial to link these two highway routes. To the east of the site, South First Street or South Second Street would be constructed as a Secondary Arterial between Malan Street and Mead Road.

4. Franchise Utility Facilities

Franchise utilities consist of telephone lines, IID lines, Southern California Gas lines, and cable television lines. These features are shown in Figure 4 and are described below:

- IID lines: existing 12 kV distribution lines run east-west along the future Panno Road and on Highway 86 at the southwest corner of the project site.
- Southern California Gas lines: these lines exist along the west side of Highway 86.

Figure 5 Brawley Circulation Plan



SOURCE: JHK & Associates

Source: Brawley General Plan

Figure 5
Circulation Plan



-
- Telephone: according to Pacific Bell, existing lines run north to south along the west side of Highway 86. South of Legion Road, the lines are underground.
 - Cable television: located along Highway 86 (Adolphia Cable is the provider).

5. Schools

The specific plan area is within the attendance area of Witter, Hidalgo, Swing, and Oakley elementary schools, Barbara Worth Junior High School, and Brawley Union High School. Witter Elementary School is located approximately 0.25 mile north of the specific plan area along K street near Highway 86. Its current enrollment is 719 students with a capacity of 760. Hidalgo Elementary School is located near the intersection of 10th and K Streets and has a current enrollment of 663 with a capacity of approximately 757. Phil Swing Elementary School is located at the intersection of N. Western Avenue and A Street and has a current enrollment of 826 students. Oakley Elementary School is located on B Street at N. Eastern Avenue and has a current enrollment of 704 students and its capacity is 800. Barbara Worth Junior High School and Brawley Union High School are situated approximately one mile to the north. Barbara Worth Junior High School is near 3rd and D Streets and has a current enrollment of 897 students and its capacity is 1,152. Brawley Union High School, near Imperial Avenue and B Street, has a current enrollment of 1,603 and its capacity is approximately 1,613.

Desert Valley High School is also in the vicinity, 3 blocks west of Brawley Union High School at A Street and 2nd Street. Desert Valley is a continuing educational institution for students needing to make up credits. Currently there are approximately 120 students enrolled in its two programs.

6. Parks

Residences within the specific plan area would be served by the following existing neighborhood parks.

- Meserve Park, approximately 0.25 mile to the north;
- Guadalupe Park, approximately one mile to the northeast;
- Hinojosa Park located approximately one mile to the northeast;
- Cattle Call and Rotary Park, approximately 0.5 mile to the west;
- Kissee Park located approximately 0.4 mile to the north off Highway 86; and
- Hawthorne Park near Brawley Union High School.

The parks have varied facilities including tot lots, sports fields, and picnic facilities.

7. Fire

Fire response would be available from the City's station within Brawley. The station is located at 815 Main Street, approximately 0.8 mile northeast of the specific plan area. Response time would be approximately five minutes. Twelve permanent staff are assigned in three shifts, one of which is on duty 24 hours a day, seven days a week. The Department also has a Fire Chief, nine reserve personnel, and ten on-call fire fighters.

8. Police

Law enforcement services are provided by the City of Brawley Police Department which is located at Main and Plaza Streets in the center of town. There are currently 30 sworn and 11 civilian personnel working for the department. Patrol officers operate on a "beat" system which gives each officer a particular portion of the City to patrol. The department has 20 police vehicles and an average response time of less than five minutes.

III. LAND USE PLAN AND DEVELOPMENT STANDARDS

A. Overall Concept

Brawley Gateway envisions the development of a high quality, multi-use commercial and industrial activity center that would complement Pioneers Memorial Hospital and associated medical facilities in forming a southern gateway to the City of Brawley on Highway 86. Single family and multi-family residential areas would also be provided.

B. Compatibility with City Goals and Policies

Brawley Gateway is specifically intended to comply with, and implement, the following adopted Goals and Policies as stated in the Land Use Element of the Brawley General Plan:

Goal 1: Provide for a well balanced land use pattern that accommodates existing and future needs for housing, commercial and industrial land, open space, agricultural land, and community facilities and services, while maintaining a healthy, diversified economy adequate to provide future City services.

Policy 1.3: Facilitate the development of vacant and under utilized highway parcels with commercial uses where appropriate and compatible with surrounding uses to capitalize on their highway access and visibility.

Policy 1.6: Ensure an adequate supply of commercial and industrial land for potential commercial and industrial expansion.

Policy 1.7: As part of the City's attraction to business and industry, designate adequate residential land to house future employees.

Goal 4: Ensure that new development is compatible with surrounding land uses in the community and in adjacent unincorporated areas, the City's circulation network, availability of public facilities, existing development constraints and the City's unique characteristics and resources.

Policy 4.2: Locate major commercial uses in areas that are easily accessible to major transportation facilities.

Policy 4.6: For mixed-use development, ensure that parcels of adequate size are used.

Goal 5: Assure a safe, healthy and aesthetically pleasing community for residents and businesses.

Policy 5.2: Ensure a sensitive transition between commercial or industrial uses and residential uses by means of such techniques as buffering, landscaping, and setbacks.

Policy 5.3: Where mixed uses are permitted, ensure compatible integration of adjacent uses to minimize conflicts.

Goal 8: Improve urban design in Brawley to ensure development that is both architecturally and functionally compatible.

Policy 8.2: Encourage and promote high quality design and physical appearance in all development projects.

Policy 8.8: Wherever possible, create an “office park” or “campus-like” environment for industrial and business park developments.

Policy 8.10: Reinforce Brawley’s image and community identity within the greater Imperial County area.

Goal 9: Promote expansion of the City’s economic base and diversification of economic activity.

Policy 9.1: Broaden the City’s tax base by attracting businesses which will contribute to the City’s economic growth and employment opportunities while ensuring compatibility with other General Plan goals and policies.

Goal 11: Ensure that necessary public facilities and services are available to accommodate development proposed on the Land Use Policy Map.

Policy 11.7: To ensure an orderly extension of essential services and facilities, and preservation of a free-flowing circulation system, continue to require provision of essential facilities and services at the developer's expense where these systems do not exist or are not already part of the City's financed capital improvement program.

C. Development Standards

The Gateway Specific Plan provides for new commercial, industrial and residential uses in a master planned community with common architectural and landscape design to provide the project with a unified appearance. The planned land uses are described below and illustrated on Figure 3.

1. Retail Commercial

Permitted Uses: The proposed commercial center would comprise approximately 47 acres and would extend from south of Legion Road to Panno Road, along 2,200 feet of frontage on Highway 86. Permitted uses, accessory uses, and conditional uses would be those listed in Table 27.82 of the Brawley Zoning Ordinance. The Retail Commercial site is intended to be implemented with the C-2 (Medium Commercial) Zone, though other commercial zones could also be approved. The primary focus of the commercial center would be commercial parcels 1 and 2 on Figure 3. This retail center would be anchored by a major department store and/or market and another major tenant, such as a drug store or multi-screen cinema. A soft goods discount department store may also be a major tenant. Smaller retail shops would also be provided, and several commercial pads for uses such as fast food, bank, video store, restaurant, automotive use, or large retailer would be located along the highway frontage. A separate commercial lot (parcel 3 on Figure 3) south of Legion Road, would be suitable for additional commercial uses, including a "big box" retail or home improvement store, automobile or equipment sales, multi-screen cinema, or a hotel. Alternatively, industrial uses would also be suitable for this site, in which case the uses listed in Table 27.92 for the M-1 (Light Manufacturing and Industrial) Zone would be allowed.

Standard Development Regulations: The Retail Commercial parcels are intended to be developed in accordance with the provisions of the C-2 Zone in Section 27.80 *et seq.* of the Brawley Zoning Ordinance, including the Commercial Development Standards contained in Table 27.83. For commercial parcel 3, the M-1 Zone may also be used and the provisions Section 27.90 *et seq.*, including Tables 27.92 and 27.93, would be followed. All other standards, provisions, and procedures of the Brawley Zoning Ordinance shall be followed based on the zone and/or use proposed to be established within the Retail Commercial use area.

Special Development Regulations: Due to the unique setting of the Brawley Gateway site at a major entry into the city, development of the Retail Commercial parcels shall provide for comprehensive design features, including but not limited to: architectural and landscape design, signage, light fixtures, shared parking, driveways, and pedestrian circulation systems, and special entry features at Legion and Panno Roads. These Special Development Regulations are intended to insure that the Retail Commercial uses provide a unity of design and function, even though the property may be developed in phases and by different owners or builders. In addition, because the Retail Commercial parcels 1 and 2 are adjacent to proposed residential areas, provisions shall be made for visual and noise buffers along the northerly and easterly property lines.

Site Plan Review Required: Site Plan review is required for all development within the Retail Commercial parcels in accordance with Section 27.261 of the Brawley Zoning Ordinance, regardless of the number of parking spaces required for a particular use. This would include the requirement for architectural renderings per Section 27.264. For the first proposed use within the Retail Commercial parcels, the comprehensive design features described above shall be illustrated and described, and all further development shall be in accordance with these features, unless modified by the City. The City may also waive the comprehensive design submittal or permit a modification to the comprehensive design standards for an independent development on Retail Commercial parcel 3. In addition to Site Plan review, the City may require additional or supplemental environmental review for any development within the Retail Commercial site. This would include review of provisions for visual and noise buffers adjacent to planned residential areas to the north and east; and review for traffic circulation and public road improvement requirements.

2. Office Commercial

Permitted Uses: The Office Commercial site would comprise approximately 5.5 acres located on the south side of Legion Road (parcels 4 and 5 on Figure 3). Permitted uses, accessory uses, and conditional uses would be those listed in Table 27.82 of the Brawley Zoning Ordinance. The Office Commercial site is intended to be implemented with the C-P (Service and Professional) Zone, though other commercial zones could also be approved. Alternatively, industrial uses would also be suitable for this site, in which case the uses listed in Table 27.92 for the M-1 (Light Manufacturing and Industrial) Zone would be allowed.

Standard Development Regulations: The Office Commercial parcel is intended to be developed in accordance with the provisions of the C-P Zone in Section 27.80 *et seq.* of the Brawley Zoning Ordinance, including the Commercial Development Standards contained in Table 27.83. Alternatively, the M-1 Zone may be used and the provisions in Section 27.90 *et seq.*, including

Tables 27.92 and 27.93, would be followed. All other standards, provisions, and procedures of the Brawley Zoning Ordinance shall be followed based on the zone and/or use proposed to be established within the Office Commercial use area.

Site Plan Review Required: Site Plan review is required for all development within the Office Commercial parcels in accordance with Section 27.261 of the Brawley Zoning Ordinance, regardless of the number of parking spaces required for a particular use. This would include the requirement for architectural renderings per Section 27.264. A consistent landscape theme and planting plan should be established within the site and implemented during the Site Plan review process. In addition to Site Plan review, the City may require additional or supplemental environmental review for any development within the Office Commercial site. This would include review of provisions for visual and noise buffers adjacent to planned residential area to the north; and review for traffic circulation and public road improvement requirements.

3. Industrial

Permitted Uses: The proposed Industrial uses would comprise approximately 44 acres located south of Legion Road (parcels 6-9 on Figure 3). Permitted uses, accessory uses, and conditional uses would be those listed in Table 27.92 of the Brawley Zoning Ordinance. The Industrial site is intended to be implemented with the M-1 (Light Manufacturing and Industrial) Zone. Alternatively, the C-2 or C-3 Commercial Zone would be permitted on parcel 7.

Standard Development Regulations: The Industrial parcels are intended to be developed in accordance with the provisions of the M-1 Zone in Section 27.90 *et seq.* of the Brawley Zoning Ordinance, including the Manufacturing and Industrial Development Standards contained in Table 27.93. For Industrial parcel 7, the C-2 or C-3 Zones may also be used and the provisions Section 27.80 *et seq.*, including Tables 27.82 and 27.83, would be followed. All other standards, provisions, and procedures of the Brawley Zoning Ordinance shall be followed based on the zone and/or use proposed to be established within the Industrial use area.

Site Plan Review Required: Site Plan review is required for all development within the Industrial parcels in accordance with Section 27.261 of the Brawley Zoning Ordinance, regardless of the number of parking spaces required for a particular use. This would include the requirement for architectural renderings per Section 27.264. A consistent landscape theme and planting plan should be established within the site and implemented during the Site Plan review process, in particular,

along the Highway 86 frontage, including special entry treatment at all proposed access roads and driveways. In addition to Site Plan review, the City may require additional or supplemental environmental review for any development within the Industrial site. This would include review of provisions for visual and noise buffers adjacent to the future residential area to the east; and review for traffic circulation and public road improvement requirements.

4. Single Family Residential

Permitted Uses: The proposed single family area would be located north of the proposed Panno Road extension and consist of approximately 25.5 acres (parcels 10 and 11 on Figure 3). Approximately 128 single family homes on typical 6,000 square foot lots would be permitted in accordance with the R-1 (Single-family Residential) Zone and the list of permitted uses, accessory uses, and conditional uses contained in Section 27.70 *et seq.* and Table 27.72 of the Brawley Zoning Ordinance. Alternatively, a Planned Development District may be used to implement all or a portion of the Single Family Residential use area, in accordance with the provisions of Section 27.120 *et seq.*, and with a maximum density of 1 dwelling unit per 6,000 square feet.

Standard Development Regulations: The Single Family Residential parcels are intended to be developed in accordance with the provisions of the R-1 Zone, including the Residential Development Standards contained in Table 27.73.

Subdivision and Site Plan Review Required: Review of the Tentative Map for subdivision of the site would include review of provisions for noise mitigation adjacent to Highway 86, including requirements for a wall, berm, or special setbacks. Also to be included in the tentative map or site plan review process would be proposed landscaping along Highway 86 and at the Panno Road entry, and to determine the need for traffic circulation and public road improvements.

5. Multi-Family Residential

Permitted Uses: The proposed multi-family area would be located between the proposed Panno Road and Legion Road extensions and along the west side of the proposed Western Avenue. It consists of approximately 10.7 acres (parcels 12 and 13 on Figure 3). Approximately 182 apartments or condominiums would be permitted in accordance with the R-3 (Medium Density Multiple-family Residential) Zone and the list of permitted uses, accessory uses, and conditional uses contained in Section 27.70 *et seq.* and Table 27.72 of the Brawley Zoning Ordinance. Alternatively, single family residential could also be established here in accordance with the provisions of the R-1 Zone. All or portions of parcels 12 and 13 may also be required for use as a stormwater retention basin for

development of Brawley Gateway. Use of these parcels for this purpose would require City approval of construction plans and specifications, fencing, landscaping, and other site development details as may be required by the City. Joint use for stormwater retention and park or recreational purposes would also be permitted, if feasible, and would require City review and approval of a Site Plan.

Standard Development Regulations: The Multi-Family Residential parcels are intended to be developed in accordance with the provisions of the R-3 Zone, including the Residential Development Standards contained in Table 27.73.

Site Plan Review Required: Site Plan review is required for all development within the Multi-Family Residential parcels in accordance with Section 27.261 of the Brawley Zoning Ordinance, regardless of the number of parking spaces required for a particular use. This would include the requirement for architectural renderings per Section 27.264. A consistent landscape theme and planting plan should be established within the site and implemented during the Site Plan review process, including special entry treatment at all proposed access roads and driveways. In addition to Site Plan review, the City may require additional or supplemental environmental review for any development within the Multi-Family Residential site. This would include review for traffic circulation and public road improvement requirements.

D. Project Phasing

Expected project phasing is shown on Figure 3. Because of the uncertainty of future market conditions, it is not the intent of the Specific Plan to restrict development to these phases, or to require completion of one phase before commencement of another phase. Rather, the phasing plan is provided to enable infrastructure improvements to be tied to the public service requirements of a particular phase.

E. Implementation Procedures

As stated above in the Land Use Plan, implementation of the Brawley Gateway Specific Plan would include approval of a Rezone, Tentative Map, Site Plans, and additional or supplemental environmental review for each development application as deemed necessary by the City. Inherent in this implementation process would be infrastructure improvements to the satisfaction of the City, Imperial Irrigation District, and other public service providers so that services are available concurrent with need.

IV. CONFORMANCE TO THE BRAWLEY GENERAL PLAN

The following discussion evaluates the project's conformance to the applicable goals and policies of each Element of the Brawley General Plan. Each General Plan Element was reviewed in detail and those General Plan Goals that were determined to be relevant to the proposed project are stated below, followed by a statement that addresses the project's conformance. The numbering of each Goal is per the General Plan. Since not all Goals were applicable to the project, numbering is not consecutive.

Based on this evaluation, the proposed General Plan Amendment and Brawley Gateway Specific Plan have been determined to substantially conform to the Brawley General Plan.

A. Land Use Element

1. Special Study Area Designation

The project site is within an area designated as the "East Highway 86" Special Study Area by the Land Use Element (see Figure 6). The Special Study Area designation is intended to permit flexibility in the arrangement of General Plan land use designations while maintaining the same percentages as shown on the Land Use Policy Map and in Table LU-4 of the General Plan.

Project Conformance: As shown on Figure 2, the 145-acre project site is designated Commercial, Medium Density Residential, Low Density Residential, and Public Facility. Table LU-4 shows that the East Highway 86 Special Study Area contains a total of 497 acres. The following Table 2, compares the land use designations and percentages proposed by the Brawley Gateway Specific Plan with the East Highway 86 Special Study Area designations.

As shown in Table 2, the proposed project increases the percentage of commercial acreage, adds industrial land uses, and reduces the percentage of both low density and medium density residential uses. For example, while the 497-acre East Highway 86 Special Study Area contains mostly low density residential uses (229 acres or 46% of the total study area), the Brawley Gateway Specific Plan contains only 25.5 acres (18% of the specific plan area total) of single family residential uses. In place of these residential uses, the Specific Plan contains 52.5 acres of commercial uses and 44 acres of industrial use.

Figure 6 Special Study Areas

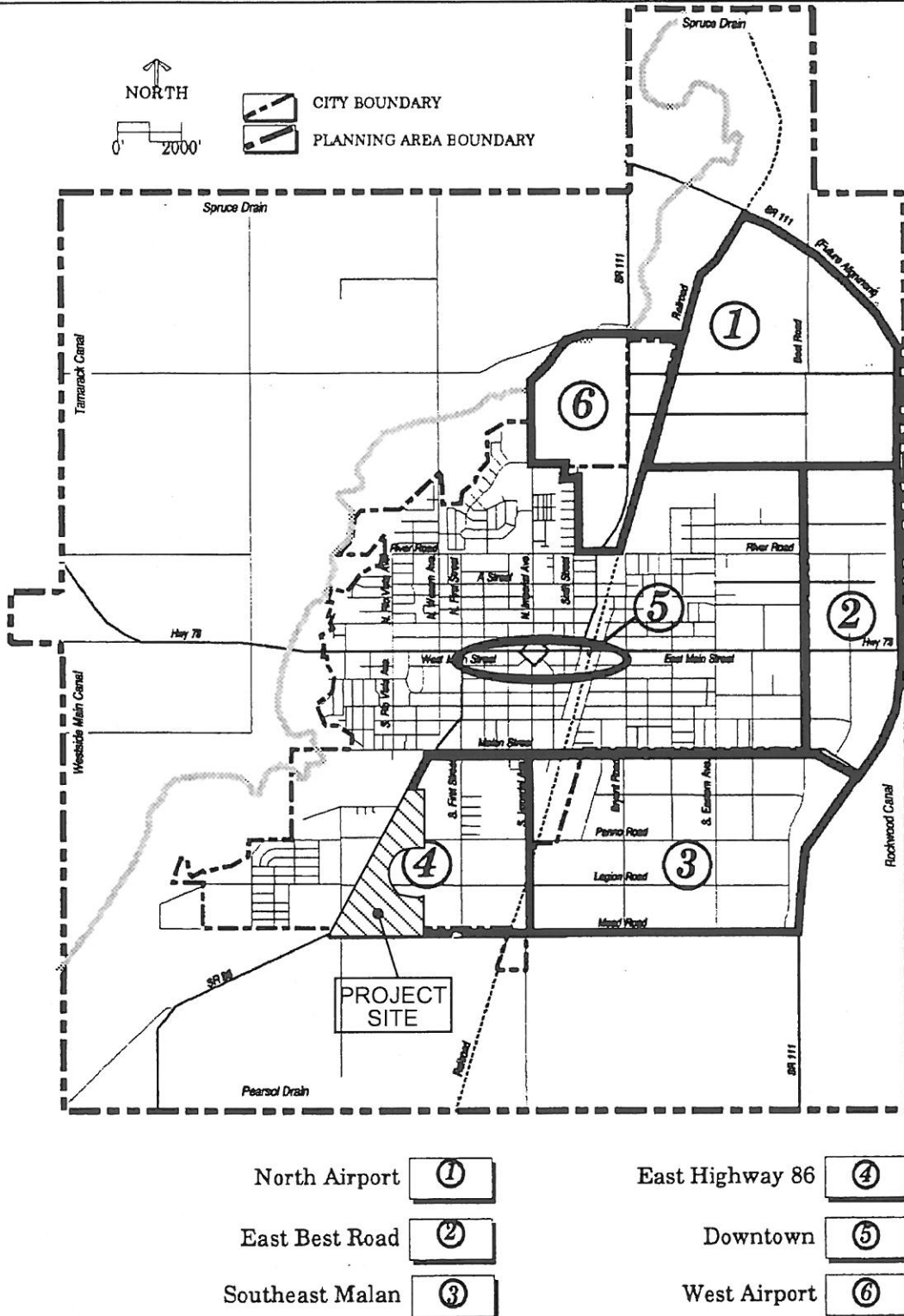


Figure 6
Special Study Areas

This proposed shift from residential to commercial and industrial uses is based on an evaluation of the property's unique suitability for a major shopping center due to the size and configuration of the ownership. The proposed industrial uses represent an opportunity to maximize the tax base potential of the property based on its accessibility and visibility from Highway 86.

**Table 2
Planned Land Use Allocation**

Major Land Use Groupings and Land Use Designations	East Hwy 86 Special Study Area ⁽¹⁾		Brawley Gateway Specific Plan	
	Acres	% of Total	Acres	% of Total
Rural Residential				
Low Density Residential	229	46%	25.5	18%
Medium Density Residential	112	22%	10.7	7%
Commercial	44	9%	52.5	35%
Light Industrial/Business Park Industrial			44.0 ⁽²⁾	30% ⁽²⁾
Public Facility	61	12%		
Transportation Corridor	51	10%	15.2	10%
Total by Subarea	497	100%	147.9	100%

⁽¹⁾ See Land Use Element Table LU-4

⁽²⁾ Includes both Light Industrial/Business Park and Industrial

While this shift in land use types does not strictly conform to Land Use Element Table LU-4, the land uses proposed by the Brawley Gateway Specific Plan would not be incompatible with other planned land uses in the East Highway 86 Special Study Area based on the development guidelines contained in the Land Use Plan in Section III.C., above. However, because of the project's non-conformance to Table LU-4, the proposed General Plan Amendment would include an amendment to page 31 of the Land Use Element to revise Table LU-4. The amended page 31 is attached as Appendix A.

2. Land Use Element Goals

The following discussion evaluates the proposed project's conformance to applicable goals of the General Plan Land Use Element:

Goal 1: Provide for a well balanced land use pattern that accommodates existing and future needs for housing, commercial and industrial land, open space, agricultural land, and community

facilities and services, while maintaining a healthy, diversified economy adequate to provide future City services.

Project Conformance: The proposed project is designed to provide a range of housing types while taking advantage of the opportunity to more fully utilize the property's access and visibility from Highway 86 for commercial and industrial development.

Goal 4: Ensure that new development is compatible with surrounding land uses in the community and in adjacent unincorporated areas, the City's circulation network, availability of public facilities, existing development constraints and the City's unique characteristics and resources.

Project Conformance: The pattern of land uses proposed by the project would be compatible with adjacent existing and planned land uses. The proposed commercial and industrial areas will be adequately served by Highway 86; residential uses would be adjacent to other planned residential areas to the east; industrial uses along the south project boundary would be more compatible with continued agricultural use in the adjacent unincorporated area than would residential use; and sewer and water facilities in the immediate area can easily be extended to serve the project. In addition, the Specific Plan requires that during Site Plan review for future industrial development, it be designed to provide a visual and noise buffer adjacent to future residential areas to the east.

Goal 5: Assure a safe, healthy and aesthetically pleasing community for residents and businesses.

Project Conformance: The Specific Plan requires special architectural and landscape treatment for development adjacent to Highway 86 so that the development provides an aesthetically pleasing entry into the City.

Goal 8: Improve urban design in Brawley to ensure development that is both architecturally and functionally compatible.

Project Conformance: Requirements of the Specific Plan will ensure a high quality appearance for this project. This will include comprehensive architectural, landscape, signage, and lighting design for development adjacent to Highway 86.

Goal 9: Promote expansion of the City’s economic base and diversification of economic activities.

Project Conformance: The proposed commercial center will provide a new opportunity for a major retail center at a convenient location to residents and travelers and will also provide a new, highly visible industrial area.

Goal 10: Provide for an adequate amount of industrial land use to serve the needs of Brawley residents to the year 2010, providing a full range of industrial activity and employment opportunities for City residents.

Project Conformance: The proposed industrial area will provide an alternative location for industrial uses which are presently only permitted in the northeastern part of the city and along the rail line. This location will provide readily available truck access from Highway 86.

Goal 11: Ensure that necessary public facilities and services are available to accommodate development proposed on the Land Use Policy Map.

Project Conformance: The project site is within the service area for city water and sewer services, has ready access to power and natural gas, and is near Meserve Park, Cattle Call and Rotary Park, Kissee Park, and Witter Elementary School.

Goal 12: Identify and encourage conservation of prime agricultural lands adjacent to the City of Brawley.

Project Conformance: The property adjacent area to the south of the project is designated “Agricultural” on the City and County general plans and is in agricultural use. This adjacent area is outside of the city limits, but within its planning area boundary. The proposed designation of industrial land use along the south boundary of the project will not be incompatible or conflict with the continued agricultural use on this adjacent property.

B. Infrastructure Element

The following discussion evaluates the proposed project’s conformance to applicable goals of the General Plan Infrastructure Element:

Goal 1: Provide a system of streets that meets the needs of current and future inhabitants and facilitates the safe and efficient movement of people and goods.

Project Conformance: The proposed project will provide full public street improvements, including the construction of Panno Road as a “Major Arterial” to eventually link Highways 86 and 111, and Legion Road and as a “Secondary Arterial” as shown on the City Circulation Element.

Goal 2: Provide for a truck circulation system that provides for the effective transport of commodities while minimizing the negative impacts throughout the City.

Project Conformance: The proposed project will utilize Highway 86 and proposed internal connector roads for truck access, thus minimizing off-site impacts on residential areas.

Goal 3: Provide for well-designed and convenient parking facilities.

Project Conformance: The project will provide all required on-site parking in accordance with the Brawley Zoning Ordinance. Additionally, the Specific Plan requires that the Retail Commercial Center “shall provide for comprehensive design features, including ... light fixtures, shared parking, driveways, and pedestrian circulation systems, and special entry features at Legion and Panno Roads.”

Goal 9: Increase the use of non-motorized modes of transportation.

Project Conformance: The project will provide residential areas convenient for pedestrian and bicycle access to a major retail and employment center. The proposed location will also provide shopping and employment in proximity to a large residential area in the southwestern part of the city.

Goal 10: Provide adequate water service and infrastructure for existing development while planning and implementing improvements to accommodate planned growth in Brawley.

Project Conformance: Water lines will be extended to serve the property in a manner that will facilitate service to other undeveloped property planned for growth in the southwestern part of the city.

Goal 12: Provide adequate sewer collection infrastructure and treatment facilities for existing development while planning and implementing improvements to accommodate planned growth in Brawley.

Project Conformance: Sewer lines will be extended to serve the property in a manner that will facilitate service to other undeveloped property planned for growth in the southwestern part of the city.

Goal 14: Ensure the provision of adequate power and communication service and transmission infrastructure to serve existing and planned development.

Project Conformance: Power, telephone, and cable television service will be extended to serve the property in a manner that will facilitate service to other property planned for development in the southwestern part of the city.

C. Resource Management Element

The following discussion evaluates the proposed project's conformance to applicable goals of the General Plan Resource Management Element:

Goal 1: Reduce air pollution through proper land use, transportation and energy use planning.

Project Conformance: The project will provide residential areas convenient for pedestrian and bicycle access to a major retail and employment center. The proposed location will also provide shopping and employment in proximity to a large residential area in the southwestern part of the city.

Goal 4: Reduce emissions through reduced energy consumption.

Project Conformance: The project will be developed in accordance with the energy conservation requirements of the State Title 24 Energy Regulations, and other City standards.

Goal 5: Conserve and protect natural plant and animal communities.

Project Conformance: The project site is presently planted in cotton and no natural plant and animal communities exist on-site.

Goal 6: Conserve and protect significant topographical features, important watershed areas, resources, and soils.

Project Conformance: None of these sensitive natural resource features exist on-site.

Goal 11: Maintain and enhance the City's unique culturally and historically significant building sites and features.

Project Conformance: No significant cultural or historical features exist on-site.

Goal 13: Conserve and protect designated agricultural lands and plan for their continued use.

Project Conformance: The project site is designated for urban development and not for agricultural use.

D. Open Space/Recreation Element

The following discussion evaluates the proposed project's conformance to applicable goals of the General Plan Open Space/Recreation Element:

Goal 8: Ensure that park development and recreational goals and policies are pursued and realized in an organized, incremental, and cost-effective manner and consistent with the City of Brawley's financial resources and legal authorities and appropriate responsibilities of other agencies, the private sector, and individual group users.

Project Conformance: The proposed project will contribute funds for park development in accordance with City requirements adopted pursuant to the State Quimby Act.

E. Public Safety/Noise Element

The following discussion evaluates the proposed project's conformance to applicable goals of the General Plan Public Safety/Noise Element:

Goal 1: Reduce the risk to the community's inhabitants from flood hazards.

Project Conformance: The project site is not within a flood hazard area.

Goal 2: Reduce the risk to the community from geologic and seismic hazards.

Project Conformance: The project site is not within an Alquist-Priolo Special Study Zone for seismic hazards. All construction would be in accordance with the structural requirements of the City's grading ordinance and building code.

Goal 4: Reduce the risk to the community's inhabitants from fires or explosions.

Project Conformance: The project will provide fire hydrants and other improvements in accordance with City standards.

Goal 10: Incorporate noise considerations into land use planning.

Project Conformance: A noise analysis was conducted to determine design requirements for mitigating noise from Highway 86 affecting planned residential areas. This mitigation will be incorporated into subdivision plans in accordance with Section III.C.4 of this Specific Plan.

F. Economic Development Element

The following discussion evaluates the proposed project's conformance to applicable goals of the General Plan Economic Development Element:

Goal 1: Provide for the expansion and diversification of the City's economic base.

Project Conformance: The proposed commercial center will provide a new opportunity for a major retail center at a convenient location to residents and travelers and will also provide a new, highly visible industrial area.

Goal 5: Promote development to meet the retail needs of the community.

Project Conformance: The proposed project will provide a major shopping center in proximity to a large residential area in the southwestern part of the city.

Goal 7: Achieve a balance between housing and employment opportunities.

Project Conformance: The proposed project includes both residential and employment uses.

G. Housing Element

The following discussion evaluates the proposed project's conformance to applicable goals of the May 2001 General Plan Housing Element:

Goal 2: Achieve balanced growth in the City by designating suitable sites for residential development.

Project Conformance: The Brawley Gateway Specific Plan proposes both single and multi-family housing in order to serve a broad range of local housing needs.

V. INFRASTRUCTURE PLAN

This Infrastructure Plan identifies the size and scope of major public facilities needed to support the planned development of the Brawley Gateway Specific Plan. This plan describes methods available to finance the needed facilities and recommends specific mechanisms for consideration in funding the improvements. This plan was prepared to conform with the goals, policies and plans of the Infrastructure Element of the Brawley General Plan.

Most City infrastructure costs for new development are addressed through collection of Development Impact Fees based on the type and size of proposed land use (e.g., number of dwelling units, or square footage of non-residential development). Table 3 summarizes the recommended financing methods by type of facility included in this Infrastructure Plan.

Table 3
Recommended Public Facility Financing Methods

Facility Type	Financing Methods
Water System	Developer Exaction & Development Impact Fee
Sewer System	Developer Exaction & Development Impact Fee
Roads and Street Lights	Developer Exaction & Development Impact Fee
Storm Drainage	Developer Exaction
Fire & Police Services	Development Impact Fee
Parks and Recreation	Development Impact Fee
Library Facilities	Development Impact Fee
Solid Waste Services	Development Impact Fee
City Administrative Services	Development Impact Fee
Schools	School Facilities Fees

A. Proposed Facilities and Estimated Impact Fees

The following discussion provides a description of the facilities that are needed to serve the project and an estimate of fees that would be imposed by the City or other governmental agency. The evaluation of facilities and impact fees is based on the land use plan per Table 1 and Figure 3.

An assessment was made of existing and anticipated future market conditions in order to estimate uses that would be established within the Brawley Gateway project and, in particular, within the 43-acre Retail Commercial portion of the site. Based on this assessment, Development Impact Fees were calculated for the following mix of uses: supermarket–55,000 square feet (sf); shopping center–100,000 sf; sit down restaurant–10,000 sf; fast food restaurant–7,000 sf; bank–8,000 sf; and mixed other retail/service commercial–220,000 sf. Other non-retail fee estimates were based on 60,000 sf of offices, 480,000 sf of warehousing and service industrial, 128 single family residences and 182 multi-family residences. All impact fees are estimates based on the City’s current fee schedule; actual fees would be based on the specific square footage of buildings and the fees in effect at the time of building permit issuance.

1. Water System

The existing water lines surrounding and serving the specific plan area are shown in Figure 4 and include the Bryant Main Canal adjacent to Highway 86 along the western side of the specific plan area and a canal just south and parallel to the Panno Road extension. The connections for water would be at the existing 12-inch lines within Legion Road and along the west side of Highway 86. These lines would provide adequate capacity to serve the planned development.

Off-site extensions and on-site water system improvements would be provided by the project developer. The current Development Impact Fee schedule would require approximately \$430,000 for water system improvements and connection fees.

In addition to normal water system improvements, all or portions of the Bryant Canal would need to be undergrounded from the proposed Legion Road extension to the north end of the property. IID has provided a preliminary cost estimate of \$2,600,000 for this undergrounding. The proposed undergrounding has been approved by the IID Board of Directors for funding in year 2004 of 75 percent of the actual total cost of the undergrounding, with the developer (or City) paying 25 percent.

2. Sewer System

The existing wastewater collection lines surrounding and serving the specific plan area are shown in Figure 4 and include: an existing 15-inch sewer line that enters the property from the west side of Highway 86, crosses the Bryant Main Canal just south of Julia Drive and continues north and east through the property to Sewer Lift Station No. 1; and an existing 8-inch line within the unimproved

Western Avenue near the northeast corner of the specific plan area. This 8-inch line continues off-site to the east and connects to the 15-inch line described above.

On-site wastewater system improvements would be provided by the project developer. The current Development Impact Fee schedule would require approximately \$407,000 for wastewater system improvements and capacity fees. The applicant has agreed that prior to building permit issuance for any construction within the project, the developer will provide a “fair share” contribution or reimbursement to the City for improvement to Sewer Lift Station No. 1.

3. Street Improvements

Highway 86, a four-lane roadway located along the westerly boundary of the Brawley Gateway site, provides the only existing improved access to the property. Within the project site, Legion Road would be improved to a paved width of 52 feet, with concrete curbs, gutters and sidewalks, and streetlights, to accommodate one lane in each direction and a continuous dual left turn center lane within a right of way width of 72 feet. Panno Road would be improved to a paved width of 80 feet with concrete curbs, gutters and sidewalks, and streetlights, to accommodate two lanes in each direction and a median within a right of way width of 100 feet. All other on-site public roads would be paved to 40 feet in width and improved with concrete curbs, gutters and sidewalks, and streetlights.

All on-site street improvements will be provided by the project developer. The current Development Impact Fee schedule would also require approximately \$1,418,000 for other (off-site) circulation system improvements. A traffic study was prepared to identify existing roads and intersections that will require improvement to accommodate existing traffic, projected growth, and project-generated traffic. Appendix B of this Specific Plan contains the traffic study updated in January 2004.

The following describes the street improvements that will be needed to accommodate each phase of the Brawley Gateway project. Construction of all improvements within Highway 86 and all other Caltrans rights of way, are subject to approval by Caltrans.

- **Phase 1 (Year 2005)**

Highway 86 and Panno Road. Phase 1 development (see Figure 3) will require that Panno Road be improved as a 3-lane Secondary Arterial east of Highway 86 and the intersection improved with a traffic signal, dual left turn lanes for southbound traffic on Highway 86, dual left turn lanes for westbound traffic on Panno Road and a combination through/right-turn lane for northbound traffic

on Highway 86. These improvements would be provided as developer constructed improvements. Future development west of Highway 86 will require additional lane improvements and signal modification to accommodate that development. The Brawley Gateway project would provide Development Impact Fees for its fair share portion of those future improvements.

Highway 86 and Legion Road. Legion Road improvements east of Highway 86 will require modification of the existing signal, extension of Legion Road to the east, and improvement with a shared through-right turn lane and a left turn lane for westbound traffic onto Highway 86. Highway 86 will also need to be improved with a new southbound left turn lane and a northbound right turn lane to access the project. West of Highway 86, Legion Road will be restriped to convert the existing right turn only lane to a shared through-right turn lane and for a second left turn lane onto Highway 86. These will be provided as developer constructed improvements. The developer would be eligible for a reduction in required Development Impact Fees based on a fair share distribution of the benefits from these improvements. West of Highway 86, Legion Road will need to be improved as a 3-lane Secondary Arterial. As shown on Table 4, the Phase 1 project would contribute only 2.1 percent of the traffic on this road segment and would provide Development Impact Fees for its fair share portion of the roadway improvements.

Highway 86 and Lot 1 Driveway. Phase 1 commercial development will require improvement of Highway 86 with a new northbound right turn lane and a westbound right turn/acceleration lane at this new commercial entry. These will be provided as developer constructed improvements.

Highway 86 and Julia Drive. For nearterm cumulative traffic conditions, Highway 86 will also need to be improved with a new northbound acceleration lane in the median to facilitate eastbound traffic on Julia Drive merging onto northbound Highway 86; and a southbound right turn lane to Julia Drive. As shown on Table 4, the Phase 1 project would contribute only 14.4 percent of the AM peak hour traffic and 25.9 percent of the PM peak hour traffic at this intersection. The project would provide Development Impact Fees for its fair share portion of the Julia Drive intersection improvements.

Highway 86 and Western Avenue. Signalization of this intersection is needed to mitigate background (non-project) traffic impacts. Caltrans has proposed to provide this improvement, including a reconfiguration of the Malan Street/Cattle Call Drive intersection to create a 4-leg intersection of Highway 86 and Western Avenue/Malan Street. As shown on Table 4, the Phase 1 project would contribute only 11.5 percent of the AM peak hour traffic and 18.3 percent of the PM peak hour traffic at this intersection. The project would provide Development Impact Fees for its fair share portion of these improvements if the Caltrans project is not complete prior to Phase 1 of

the Brawley Gateway project. In addition, Western Avenue would need to be restriped as a 3-lane Secondary Arterial between Highway 86 and Main Street. The project would provide Development Impact Fees for its fair share portion of the road restriping improvements.

**Table 4
Project Impacts
Year 2005 Traffic + Phase 1 Project**

Intersections	2003 Total	2010		2010 Total	Project %
		Growth	Project		
Highway 86/Julia Drive					
AM Peak	1,680	2,090	352	2,442	14.4
PM Peak	1,867	2,302	805	3,107	25.9
Highway 86/Western-Malan Street					
AM Peak	1,784	2,111	274	2,385	11.5
PM Peak	1,768	2,215	495	2,710	18.3
Segments	2003 Total	2010		2010 Total	Project %
		Growth	Project		
Highway 86 Adjacent to Project					
Average Daily Trips	22,042	1,696	6,973	30,711	22.7
Highway 86 North of Malan Street					
Average Daily Trips	15,761	-252	4,438	19,947	22.2
Western Avenue					
Average Daily Trips	6,031	2,915	1,874	10,820	17.3
Malan Street					
Average Daily Trips	2,969	3,388	635	6,992	9.1
Legion Road					
Average Daily Trips	7,962	3,887	253	12,102	2.1

- **Phase 2 (Year 2010)**

Highway 86 and Panno Road. Cumulative traffic, including Phase 2 residential and commercial development, will require that the west leg of Panno Road be improved with a separate left turn lane for eastbound traffic onto Highway 86. In addition, the proposed designation of Panno Road as the principal local thoroughfare connecting Highways 86 and 111, would require that it be completed as a 4-lane Major Arterial with Phase 2 of the Brawley Gateway project. These will be provided as developer constructed improvements and the developer would be eligible for a reduction in required Development Impact Fees based on a fair share distribution of the benefits from these improvements.

Highway 86 and Julia Drive. Cumulative traffic, including Phase 2 residential and commercial development, will require that Julia Drive be restriped to provide separate left and right turn lanes for eastbound traffic onto Highway 86. As shown on Table 5, the Phase 1 project would contribute only 23.0 percent of the AM peak hour traffic and 36.6 percent of the PM peak hour traffic at this intersection. The project would provide Development Impact Fees for its fair share portion of these improvements on Julia Drive.

**Table 5
Project Impacts
Year 2010 Traffic + Phase 1 & 2 Project**

Intersections	2003 Total	2010		2010 Total	Project %
		Growth	Project		
Highway 86/Julia Drive					
AM Peak	1,680	440	635	2,755	23.0
PM Peak	1,867	503	1,370	3,740	36.6
Highway 86/Western-Malan Street					
AM Peak	1,784	351	520	2,655	19.6
PM Peak	1,768	434	963	3,165	30.4
Segments	2003 Total	2010		2010 Total	Project %
		Growth	Project		
Highway 86 Adjacent to Project					
Average Daily Trips	22,042	2,285	11,673	36,000	32.4
Highway 86 North of Malan Street					
Average Daily Trips	15,761	-252	7,891	23,400	33.7
Western Avenue					
Average Daily Trips	6,031	2,915	3,354	12,300	27.3
Malan Street					
Average Daily Trips	2,969	3,978	403	7,350	5.5
Legion Road					
Average Daily Trips	7,962	3,887	451	12,300	3.7

Highway 86 and Western Avenue. Cumulative traffic, including Phase 2 commercial and residential development, will require that the signal at this intersection be modified to provide a second left turn lane for northbound traffic on Highway 86, and that Western Avenue be improved to a 4-lane Collector. As shown on Table 5, the Phase 1 and 2 project would contribute only 19.6 percent of the AM peak hour traffic and 30.4 percent of the PM peak hour traffic at this intersection, and 27.3 percent of the traffic on Western Avenue. The project would provide Development Impact Fees for its fair share portion of these improvements.

- **Phase 3 (Year 2025)**

Highway 86 and Legion Road. Phase 3 development will improve Legion Road within the project with dual westbound left turn lanes and a westbound right turn lane onto Highway 86. These will be provided as developer constructed improvements. The developer would be eligible for a reduction in required Development Impact Fees based on a fair share distribution of the benefits from these improvements in serving property to the east.

Highway 86 and Panno Road. Cumulative traffic, including Phase 3 commercial and industrial development, will require that Panno Road east of Highway 86 be improved with a second left turn lane and a separate right turn lane for westbound traffic onto Highway 86. These improvements would be provided as developer constructed improvements. For development west of Highway 86, cumulative traffic would require separate right turn lanes for southbound Highway 86 and eastbound Panno Road. The Brawley Gateway project would provide Development Impact Fees for its fair share portion of these improvements.

Highway 86 and Legion Road. Cumulative traffic, including Phase 3 commercial and industrial development, will require that Legion Road east of Highway 86 be improved with a second left turn lane a separate right turn lane for westbound traffic onto Highway 86. These improvements would be provided as developer constructed improvements. In addition, a second left turn lane and a separate right turn lane for southbound Highway 86, and a separate right turn lane for northbound Highway 86, would be required. These will be provided as developer constructed improvements and the developer would be eligible for a reduction in required Development Impact Fees based on a fair share distribution of the benefits from these improvements.

4. Storm Drain Improvements

Project drainage would require the installation of new 12-inch inlets to IID drains. Since this would not provide sufficient capacity for all project drainage, on-site retention would also be required. The Holt Group has estimated that the project would require a detention basin approximately 5.47 acres in size and eight feet in depth in order to provide storage for an estimated 1,580,000 cubic feet of storm water runoff from a three-inch rainfall event. Outlets and pumps from the detention basin, would need to be sized to discharge the design storm within 72 hours via the 12-inch IID drains.

On-site drainage improvements, including the detention basin, would be provided by the project developer. The current Development Impact Fee schedule would require approximately \$205,000 for general public works improvements that could include stormwater facilities.

5. Fire and Police Services

The project site is served by the existing fire and police stations located on Main Street. On site fire hydrants and water lines with adequate pressure for fire suppression would be provided by the project developer. The current Development Impact Fee schedule would require approximately \$104,000 for fire services and \$124,000 for police services.

6. Parks and Recreation Facilities

The project site is served by existing neighborhood parks, including Meserve Park approximately one-quarter mile north of the site. The current Development Impact Fee schedule would require approximately \$99,000 for park services and \$129,000 for recreation services.

7. Library Facilities

The project site is served by the existing City Library located at the Civic Center complex on Main Street. The current Development Impact Fee schedule would require approximately \$117,000 for library facilities.

8. Solid Waste Services

Solid waste services would be provided by the City. The current Development Impact Fee schedule would require approximately \$52,000 for solid waste facilities.

9. City Administrative Services

The current Development Impact Fee schedule would require approximately \$62,000 for city administrative services.

10. Schools

Pursuant to the State School Facilities Act (Government Code Section 65970 *et seq.*) and local school district regulations, the project would pay a total of approximately \$764,000 in elementary school fees and \$344,000 in high school fees. These fees are an estimate based on each district's current fee schedule and a project build-out estimate of approximately 940,000 square feet of commercial and industrial space, 128 single family homes at 1600 square feet each, and 182 multi-family units at 1200 square feet each.

B. Description of Proposed Financing Methods

The following discusses financing alternatives that have been considered for the Brawley Gateway Specific Plan. The alternatives were analyzed to assure a full consideration was given to the range of possible methods for financing the infrastructure required to support the planned development of the project.

The alternatives range from the traditional methods such as exactions and development fees to more modern approaches such as the Mello-Roos Community Facilities District Act. While the full range of alternative financing methods were considered, the project is committed to funding and construction of all required new public infrastructure through developer exactions and payment of development impact fees. No determination has been made at this time on funding the cost for undergrounding the Bryant Canal.

1. Exactions

Exaction is the term applied to those developer financed and constructed facilities that are made a condition of discretionary development approval. Exactions have their basis in state planning law and are the most common means of providing for local streets, street lighting, curbs, gutters, sidewalks, sewer laterals, water lines, and storm drains. A related financing technique is development impact fees (discussed in the following section) which are also imposed as developer exactions during the discretionary review process. Some, but not all, developer fees have their basis in state planning law and are paid “in lieu” of constructing the required improvement.

Most exactions are straight forward in their implementation: a condition is placed on a tentative tract map or other discretionary approval, requiring that a particular facility be constructed (or guaranteed) prior to approval of the final subdivision map. The use of exactions for improvements to local streets, curbs, gutters, sidewalks, street lights, storm drains, sewers, and water lines is a well established practice. In addition to these public facilities, exactions may also be used to enforce development and design standards for private improvements that are necessary to implement environmental impact mitigation measures, or to assure the compatibility of the project with the surrounding neighborhood such as through the construction of landscaping, walls, and other private improvements.

2. Impact Fees

Impact fees are levied against proposed development to fund costs of facilities, generally off-site, related to the development and for which the development creates a need for an incremental improvement in local governmental services. These fees are collected “in lieu” of requiring an individual development to construct a particular off-site improvement that would be commensurate with the project’s impact. By collecting “in lieu” impact fees, the local jurisdiction can more efficiently plan for and finance facility improvements on a comprehensive, rather than piecemeal, basis. Examples of development impact fees are sewer and water connection fees, park fees levied under “Quimby Act” authority, school fees levied under the authority of the Government Code Section 65970 or 53080 *et seq.* and California Education Code Section 17620 and local ordinances, and thoroughfare and drainage fees levied under the authority of the Subdivision Map Act and local implementing ordinances.

Development fees are relatively simple to implement once the statutory authority has been determined. A local jurisdiction enacts implementing ordinances that normally require the payment of the development fee as a condition of subdivision of land or building permit issuance, such as is the case with the City of Brawley’s Development Impact Fees. Most of these fees are collected at building permit time. State legislation enacted in 1987 requires that there be strict controls on the use of these fees to finance improvements to public facilities for which they were collected, such as for roads, sewer, water, parks, schools, libraries, police and fire, and other facilities.

3. Special Assessments

Special assessments are levies placed on property to finance improvements that have a specific benefit to that property. There must be a reasonable relationship between the amount of the assessment and the benefit received by the property. Most special assessments are a result of the Improvement Act of 1911 assessment proceedings, Improvement Act of 1911 bonds, the Municipal Improvement Act of 1913, and/or the Improvement Bond Act of 1915.

A special assessment is implemented by the City Council according to the procedures set forth in the applicable governing statute. In general, special assessment proceedings require a resolution of intention, the preparation of an “engineer’s report” setting forth an estimate of the cost of the facilities to be constructed and estimating the amount of assessment per parcel based on the benefit to be received, and a public hearing. If owners of more than fifty percent of the property included within the proposed assessment district file written protests prior to the close of the public hearing,

the City Council must cease the assessment district proceedings unless it finds by a 4/5ths vote that there are overriding public health and safety reasons to go forward with the planned improvements.

If the assessment district goes forward, bids are received on the project and bonds are sold to finance the construction and administrative costs associated with the project. At this time a lien is placed on the benefiting properties in the amount of the final assessment. The annual assessments are collected by the County Tax Collector on the regular tax bill.

4. Improvement Districts

Municipal Water Districts are empowered to create improvement districts for the purpose of incurring bonded indebtedness to finance public facilities on less than a district-wide basis. The procedures for the formation of improvement districts and the establishment of debt are contained within the Water Code. Once the improvement district debt has been established, the debt service may be satisfied by the levying of ad valorem property taxes if sufficient voter approval has been secured. Other sources of revenue such as connection charges may be used to provide for the debt service.

5. Facilities Benefit Assessments

The City of San Diego pioneered the use of “facilities benefit assessments” as a means of paying for new infrastructure in developing communities. This is basically a “pay as you go” method of financing that involves a determination of the total costs of the facilities to be financed, the type and rate of development, the relative benefit derived by the various classes of development from the facilities, and the establishment of a benefit assessment (development fee) that is paid at the time building permits are issued.

In practice, the FBA approach has been used to finance road improvements, traffic signals, fire stations, parks, and libraries. In theory, as long as a community-wide benefit can be shown from the facilities to be financed, this method has broad application.

6. Mello-Roos Community Facilities Districts

The Mello-Roos Community Facilities Act of 1982 authorized the establishment of community facilities districts (CFDs) for the purpose of acquiring or constructing public facilities. The districts are created by the governing body (i.e., City Council, special district board of directors) and require a two-thirds voter approval. The districts may issue bonds and levy special taxes, subject to the two-

thirds voter approval, to finance the construction or acquisition of any capital facility the local agency is otherwise authorized to construct or acquire. If there are less than twelve registered voters residing in the proposed district, the election is conducted among the property owners weighted according to the acreage owned. The special tax can be levied on any basis that bears a reasonable relationship to the benefit received from, or the need generated for, the community facility by the properties so taxed.

Proceedings to create a community facilities district may be initiated either by the legislative body or by a petition of 10% of the property owners or 10% of the registered voters in the area proposed for the district.