

STAFF REPORT
Planning Commission
June 26, 2024
Lot Merger #00159

Applicant: **John Pierre Menvielle**
 P.O. Box 2712
 El Centro, CA 92244

Agent: **BJ Engineering**
 Roberto Martinez, RCE #74475
 341 W. Crown Ct., Suite 100
 Imperial, CA 92251

Project Location:

The proposed project site consists of nine (9) parcels within the Gateway of the Americas Specific Plan. These existing parcels are further identified as Assessor's Parcel Numbers 059-210-065-000, 059-210-066-000, 059-210-067-000, 059-210-068-000, 059-210-069-000, 059-210-070-000, 059-210-071-000, 059-210-072-000 and 059-210-073-000; and legally described as Lots 14, 15, 18, 19, 20, 21, 22, 23 and 24 of Tract 940 Menvielle Plaza Business Park Subdivision Unit No.1 Phase 2 in an unincorporated area of the County of Imperial, State of California.

The proposed project area is bound by State Hwy 98 to the North, State Hwy Route 7 to the East, Menvielle Road to the West, and Gateway Road to the South. It is approximately 4.5 miles east of the City of Calexico, and approximately one (1) mile northeast of the Calexico East Port of Entry.

Project Summary:

The applicant is proposing to combine nine (9) parcels creating a single +/- 56.90-acre parcel, for the future construction of seven (7) industrial buildings totaling approximately 793,210 sq. ft.

This project will also provide outdoor structures such as covered trash enclosures, shade canopies, a fenced-in covered raw water pump and fire pump house. Adequate vehicle parking is provided at the front of the building while truck parking is reserved for the back of the buildings.

The proposed one-story tilt-up buildings will require a building permit from the Imperial County Planning & Development Services Department, complying with all the

requirements stated under the Gateway of the Americas Specific Plan, and the 2022 California Building Code.

Water and sewer to the newly merged parcel would be provided via existing water and sewer lines in Gateway specific plan area.

Physical access to the newly merged parcel would be via Gateway Road and Menvielle Road.

Existing Parcels Size:

- Parcel 1 (059-210-065) – +/- 1.60 acres
- Parcel 2 (059-210-066) – +/- 1.10 acres
- Parcel 3 (059-210-067) – +/- 1.10 acres
- Parcel 4 (059-210-068) – +/- 1.20 acres
- Parcel 5 (059-210-069) – +/- 9.38 acres
- Parcel 6 (059-210-070) – +/- 9.42 acres
- Parcel 7 (059-210-071) – +/- 9.65 acres
- Parcel 8 (059-210-072) – +/- 9.23 acres
- Parcel 9 (059-210-073) – +/- 14.32 acres

Total: +/- 57 acres

Proposed Total Merged Parcel Size: +/- 57 acres

County Ordinance:

Lot Merger #00159 is consistent with the Imperial County Land Use Ordinance Title 9, Division 8 (Subdivision Ordinance), Section 90808.00 “Lot Mergers Initiated by Property Owner,” as well as with the Gateway of the Americas Specific Plan, Section (III)(D)(1)(d) “Minimum Lot Dimensions” which states that the required minimum lot dimension in a Gateway Industrial (GI) zoned parcel to be 10,000 square feet.

Land Use Analysis:

Under the Imperial County General Plan, the land use designation for all parcels in Gateway of the Americas Specific Plan Area and the project site is currently zoned as “GI” (Gateway Industrial) per Zoning Map #18 of the Imperial County Title 9 Land Use Ordinance. The proposed Lot Merger anticipates the combination of nine (9) parcels for the construction of seven (7) industrial buildings and would create a single +/- 57-acre parcel. The proposed project is consistent with the County’s General Plan and zoning ordinances.

Surrounding Land Uses, Zoning and General Plan Designations:

DIRECTION	CURRENT LAND USE	ZONING	GENERAL PLAN
Project Site	Vacant	GI-Gateway Industrial	Gateway Specific Plan
North	Vacant	GI-Gateway Industrial	Gateway Specific Plan
South	Calexico Gateway Center Industrial I LLC	GI-Gateway Industrial	Gateway Specific Plan
East	Vacant	GC-Gateway Commercial	Gateway Specific Plan
West	Truck storage/ Warehouse	GI-Gateway Industrial	Gateway Specific Plan

Environmental Determination:

After review of the CEQA Guidelines, it has been determined that Lot Merger #00159 is categorically exempt from CEQA per Article 19, Section 15305, 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 Commission hold a public hearing, hear all the proponents and opponents of the proposed project, and then take the following actions:

1. Find that Lot Merger #00159 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 #00159 is consistent with applicable Zoning and Building Ordinances; and
3. Approve Lot Merger #00159, subject to the attached conditions.

PREPARED BY: Rocio Yee, Planner I
Planning & Development Services



REVIEWED BY: Michael Abraham, AICP, Assistant Director of
Planning & Development Services



APPROVED BY: Jim Minnick, Director of
Planning & Development Services

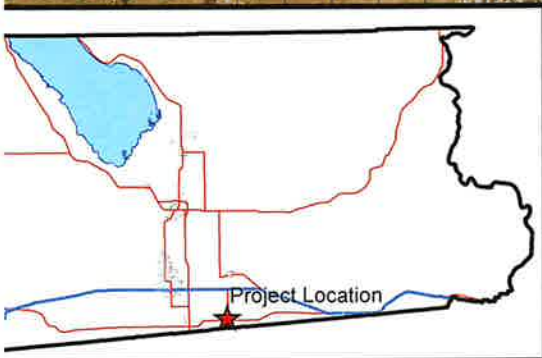
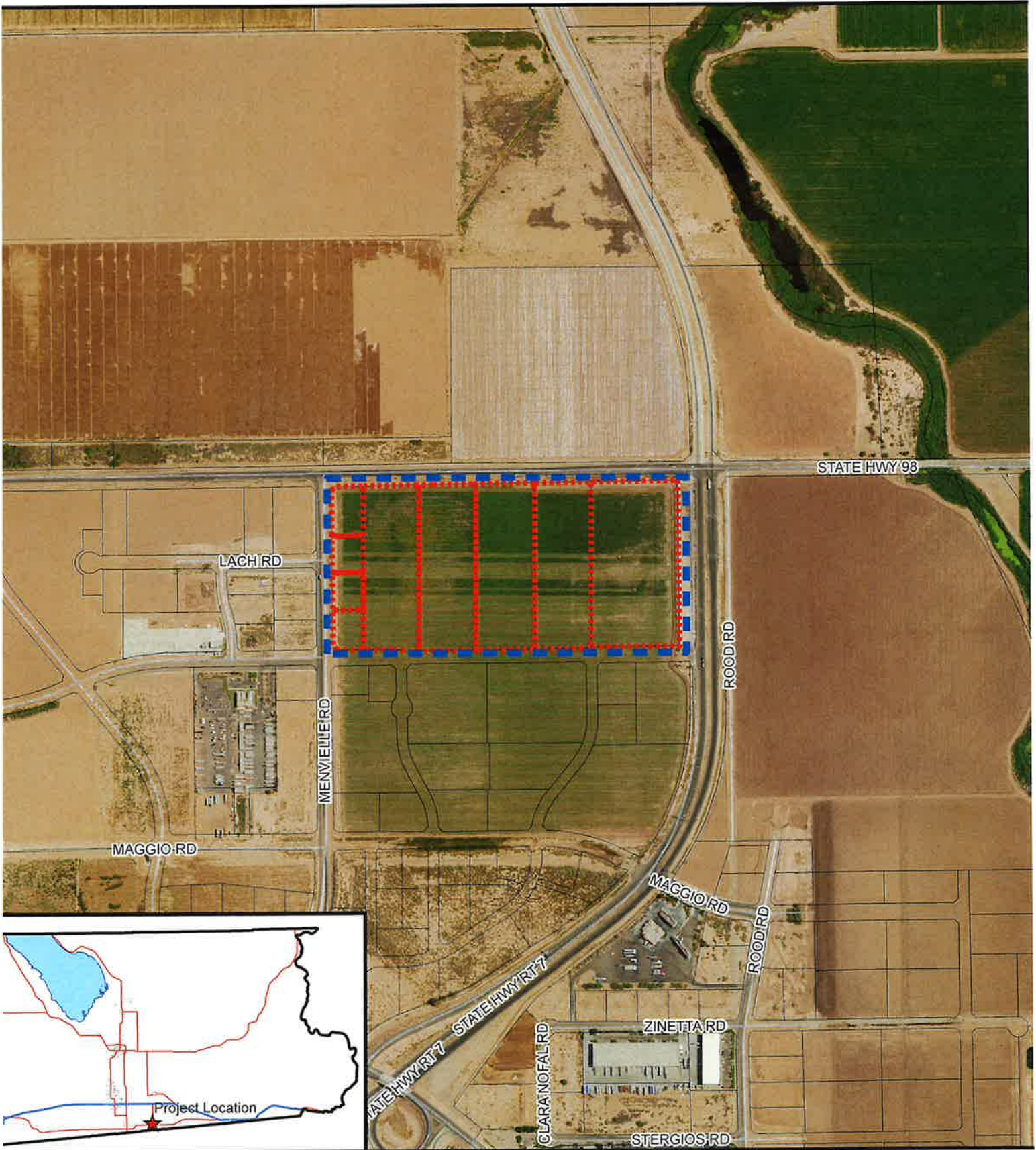


ATTACHMENTS:





- A. Vicinity Map
- B. Site Plan
- C. PC Resolutions & Findings
- D. Conditions of Approval
- E. Application & Supporting Documentation
- F. Comment Letters

ATTACHMENT "A"
VICINITY MAP

PROJECT LOCATION MAP



**JOHN PIERRE MENVIELLE
MERG #00159
APN 059-210-065 TO -073-000**

-  Project Location
-  Centerline
-  Parcels
-  Proposed Merger



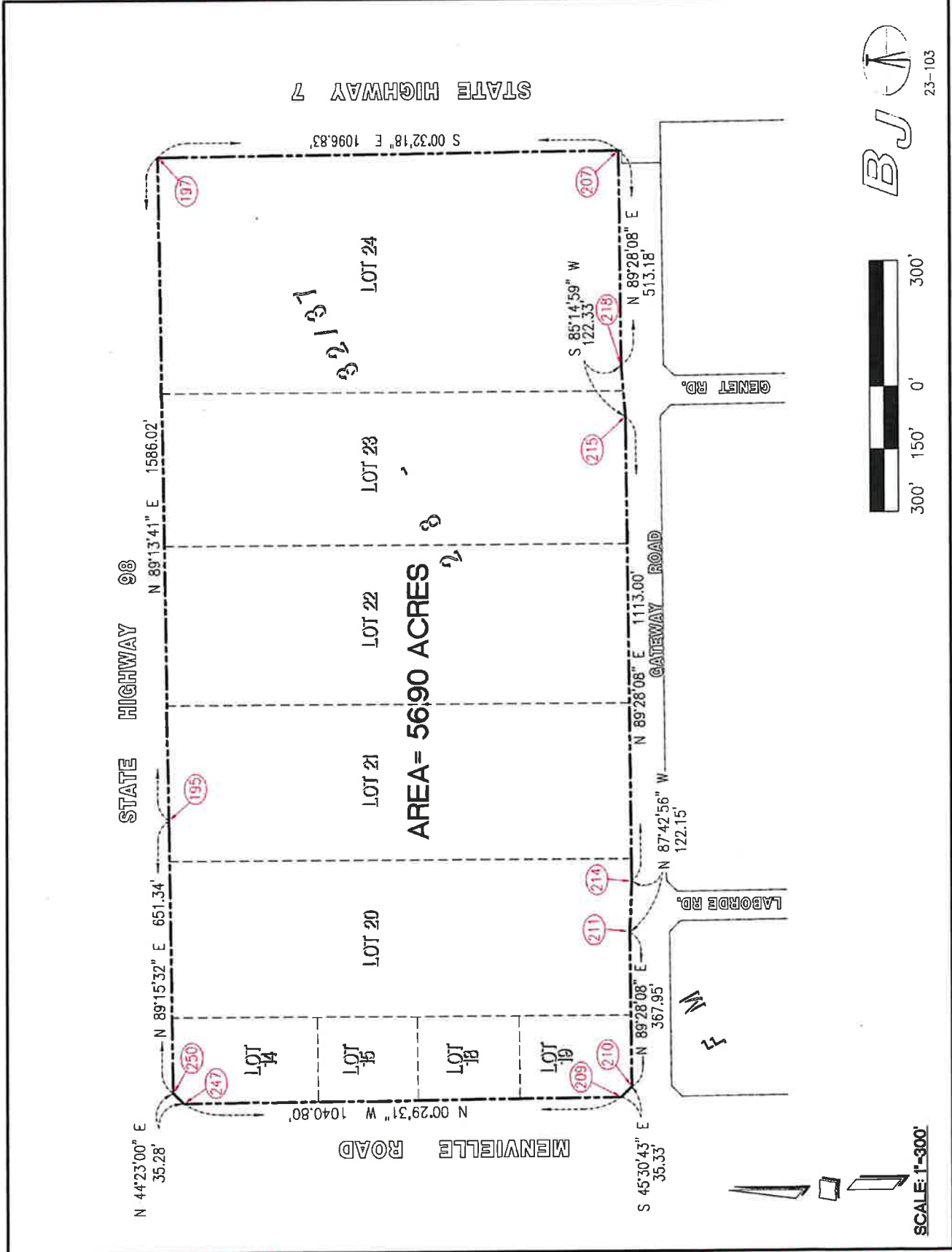
ATTACHMENT "B"
SITE PLAN

POINT SHEET

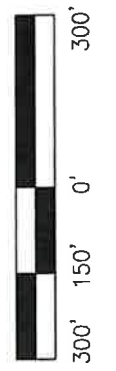
POINT SHEET

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B J
 23-103



SCALE: 1"=300'

POINT SHEET

POINT SHEET

ATTACHMENT “C”
PLANNING COMMISSION
RESOLUTION & FINDINGS

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF IMPERIAL, CALIFORNIA, APPROVING “LOT MERGER #00159” JOHN PIERRE MENVIELLE.

WHEREAS, John Pierre Menvielle submitted an application for Lot Merger #00159 to combine nine (9) parcels for construction of seven (7) industrial buildings within the Gateway of the Americas Specific Plan Area; 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 Commission 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 26, 2024; and,

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

SECTION 1. The Planning Commission has considered the proposed Lot Merger prior to approval. The Planning Commission 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 #00159 have been made as follows:

A. Are the lots or parcels contiguous?

The nine (9) parcels are contiguous, and 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.

MERG #00159 is zoned as GI (Gateway Industrial) located within the Gateway of the Americas Specific Plan Area under the Imperial County Land Use Ordinance Title 9 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 lots are consistent with the Subdivision Map Act and County Ordinance; and were created under TR #00940-Menvielle Plaza Business Park Sub. Un. No.1 Ph.1 & Ph.2 as approved by the Board of Supervisors.

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

The nine (9) parcels are contiguous, and the proposed merger will be consistent with the Subdivision Map Act and the County of Imperial Land Use Ordinance Title 9 Section 90808.00 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 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). The purpose of this lot merger is to combine nine (9) parcels for construction of seven (7) industrial buildings within the Gateway of the Americas Specific Plan Area.

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

Access to the adjoining lots will not be restricted by the merger.

- G. The parcels, as merged, will not conflict with the location of any existing structures on the property.**

Parcels are vacant; therefore, the lot merger does not have any conflict.

- H. No new lots are created through the merger.**

The merger will not create new lots, otherwise the nine (9) parcels will be combined and reduced to a single parcel.

NOW, THEREFORE, based on the above findings, the Imperial County Planning Commission **DOES HEREBY APPROVE** Lot Merger #00159, subject to the attached Conditions of Approval.

Rudy Schaffner, Chairperson
Imperial County Planning Commission

I hereby certify that the preceding resolution was taken by the Planning Commission at a meeting conducted on June 26, 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Jim Minnick, Director of Planning & Development Services
Secretary to the Planning Commission

ATTACHMENT “D”
CONDITIONS OF APPROVAL

CONDITIONS OF APPROVAL

LOT MERGER (MERG) #00159

APN(s) # 059-210-065-000, 059-210-066-000, 059-210-067-000, 059-210-068-000,
059-210-069-000, 059-210-070-000, 059-210-071-000, 059-210-072-000, &
059-210-073-000

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.
2. 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 have 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.
6. 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.
7. 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:

1. Provide a Lot Merger prepared by a California-licensed Land Surveyor or Civil Engineer and submit to the Department of Public Works, for review and recordation. The Engineer must be licensed in the category required by the California Business & Professions Code.

2. Provide tax certificate from the Tax Collector's Office prior to recordation of the Lot Merger.
3. The applicant shall provide a surveyed legal description and an associated exhibit certified by a licensed surveyor for all rights of way deemed by IID as necessary to accommodate the project electrical infrastructure. Rights-of-Way and easement shall be in a form acceptable to and at no cost to IID for installation, operation, and maintenance of all electrical facilities. As per comment letter received by IID¹ on May 20, 2024

1.- Imperial Irrigation District (IID) comment letter dated May 20, 2024.
2.- Air Pollution Control District (APCD) comment letter dated May 29, 2024.

ATTACHMENT “E”
APPLICANT SUBMITTAL

LOT MERGER

I.C. PLANNING & DEVELOPMENT SERVICES DEPT
801 Main Street, El Centro, CA 92243 (442) 265-1736

- APPLICANT MUST COMPLETE ALL NUMBERED (black) SPACES - Please type or print -

1. PROPERTY OWNER'S NAME John Pierre Menvielle, Robert Fred Menvielle, Sharon Menvielle		EMAIL ADDRESS johnpierrementielle@gmail.com	
2. MAILING ADDRESS P.O. Box 2712 El Centro		ZIP CODE 92244	PHONE NUMBER (760) 562-1191
3. ENGINEER'S NAME BJ Engineering / Roberto Martinez		CAL. LICENSE NO. RCE 74475	
4. MAILING ADDRESS 341 W. Crown Ct. Suite 100 Imperial, CA		ZIP CODE 92251	PHONE NUMBER (760) 353-3552
5. PROPERTY "A" (site) ADDRESS Eastside of Menvielle Rd. & Northside of Gateway Rd		LOCATION Imperial County	
6. PROPERTY "A" ASSESSOR'S PARCEL NO.(s) 059-210-065 thru 073		SIZE OF PROPERTY (in acres or square foot) 56.90 AC	
7. EXISTING USE Vacant Land		CURRENT ZONE (E1) Gateway Industrial	
8. PROPERTY "A" LEGAL DESCRIPTION (attach separate sheet if necessary) Lots 14-19 & 20-24 Final Map 28-32/37			
9. PROPERTY "B" (site) ADDRESS Same		LOCATION Imperial County	
10. PROPERTY "B" ASSESSOR'S PARCEL NO.(s)		SIZE OF PROPERTY (in acres or square foot)	
11. EXISTING USE Vacant Land		CURRENT ZONE (E1) Gateway Ind.	
12. PROPERTY "B" LEGAL DESCRIPTION (attach separate sheet if necessary) See Attached			
13. EXPLAIN PURPOSE/REASON FOR LOT MERGER Develop & Construction of Infrastructure for seven (7) Industrial Buildings			
14. PROPOSED MERGED PARCEL SIZE 56.90 AC		PROPOSED USE Industrial Storage	

PLEASE PROVIDE CLEAR & CONCISE INFORMATION (ATTACH SEPARATE SHEET IF NEEDED)

15. DESCRIBE PROPOSED SEWER SYSTEM(S)	Sewer System to be connected to the existing Sewer System
16. DESCRIBE PROPOSED WATER SYSTEM	Water System to be connected to the existing Water System
17. DESCRIBE PROPOSED ACCESS TO MERGED PARCEL	Menvielle Road & Gateway Road
18. IS THIS PARCEL PLANNED TO BE ANNEXED? IF YES, TO WHAT CITY or DISTRICT? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

I / WE THE LEGAL OWNER (S) OF THE ABOVE PROPERTY CERTIFY THAT THE INFORMATION SHOWN OR STATED HEREIN IS TRUE AND CORRECT

John Pierre Menvielle 1-17-2024

Print Name (owner) Date

Signature (owner)

Print Name (Agent) Date

Signature (Agent)

An owners notarized affidavit is required if application is signed by Agent

REQUIRED SUPPORT DOCUMENTS

- A. SITE PLAN
- B. PROPOSED LEGAL DESCRIPTION
- C. PRELIMINARY TITLE REPORT (6 months or newer)
- D. FEE _____
- E. OTHER _____

APPLICATION RECEIVED BY: _____	DATE: <u>MAR 12/24</u>	REVIEW / APPROVAL BY OTHER DEPT'S required
APPLICATION DEEMED COMPLETE BY: _____	DATE: _____	<input type="checkbox"/> P. W.
APPLICATION REJECTED BY: _____	DATE: _____	<input type="checkbox"/> E. H. S.
TENTATIVE HEARING BY: _____	DATE: _____	<input type="checkbox"/> A P C D.
FINAL ACTION: <input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED	DATE: _____	<input type="checkbox"/> O E. S.
		<input type="checkbox"/> _____
		<input type="checkbox"/> _____

MERG#
00159

EXHIBIT "A"
LOT MERGER NO. _____
LEGAL DESCRIPTION

BEING A MERGER OF LOTS 14, 15, 18, 19, 20, 21, 22, 23 AND 24 OF "TRACT 940 – MENVIELLE PLAZA BUSINESS PARK SUBDIVISION UNIT NO. 1, PHASE 2" ON FILE IN BOOK 28, PAGES 32 THRU 37 OF FINAL MAPS IN THE IMPERIAL COUNTY RECORDER'S OFFICE, COUNTY OF IMPERIAL, STATE OF CALIFORNIA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORHTEAST CORNER OF SAID LOT 24;

THENCE SOUTH 00° 32' 18" EAST, ALONG THE EAST LINE OF SAID LOT 24, A DISTANCE OF 1096.83 FEET TO THE SOUTHEAST CORNER THEREOF; BEING ALSO A POINT THE NORTH RIGHT OF WAY LINE OF GATEWAY ROAD

THENCE ALONG THE NORTH RIGHT OF WAY LINE OF GATEWAY ROAD THE FOLLOWING COURSES:

1. SOUTH 89° 28' 08" WEST, A DISTANCE OF 513.18 FEET;
2. SOUTH 85° 14' 59" WEST, A DISTANCE OF 122.33 FEET;
3. SOUTH 89° 28' 08" WEST, A DISTANCE OF 1113.00 FEET;
4. NORTH 87° 42' 56" WEST, A DISTANCE OF 122.15 FEET;
5. SOUTH 89° 28' 08" WEST, A DISTANCE OF 367.95 FEET;
6. NORTH 45° 30' 43" WEST, A DISTANCE OF 35.33 FEET TO AN ANGLE POINT, BEING THIS POINT ON THE EAST RIGHT OF WAY LINE OF MENVIELLE ROAD;

THENCE ALONG SAID EAST RIGHT OF WAY LINE THE FOLLOWING COURSES:

1. NORTH 00° 29' 31" WEST, A DISTANCE OF 1040.80 FEET;
2. NORTH 44° 23' 00" EAST, A DISTANCE OF 35.28 FEET TO AN ANGLE POINT, BEING THIS POINT ON THE SOUTH RIGHT OF WAY LINE OF STATE HIGHWAY 98;

THENCE ALONG SAID SOUTH RIGHT OF WAY LINE THE FOLLOWING COURSES:

1. NORTH 89° 15' 32" EAST, A DISTANCE OF 651.34 FEET;
2. NORTH 89° 13' 41" EAST, A DISTANCE OF 1586.02 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PROPERTY CONTAINS 56.90 ACRES MORE OR LESS.

SUBJECT TO ALL COVENANTS, EASEMENTS AND AGREEMENTS OF RECORDS.

AS SHOWN ON EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE PART HEREOF.



DAVID BELTRAN, PLS 8482

3/14/24

DATE



EXHIBIT "B"

LOT MERGER NO. _____

STATE HIGHWAY 98

N 44°23'00" E
35.28'

N 89°15'32" E 651.34'

N 89°13'41" E 1586.02'

N 00°29'31" W 1040.80'

ROAD

LOT 14
LOT 16
LOT 18
LOT 19

LOT 20

AREA = 56.90 ACRES

ALL LOT LINES TO BE ABOLISHED
(TYP.)

LOT 21

LOT 22

LOT 23

LOT 24

S 00°32'18" E 1096.83'

STATE HIGHWAY 7

S 45°30'43" E
35.33'

N 89°28'08" E
367.95'

N 87°42'36" W
122.15'

N 89°28'08" E
1113.00'

GATEWAY ROAD

S 85°14'59" W
122.33'

N 89°28'08" E
513.18'

MENVILLE

LABORDE RD.

F M

GENET RD.

LEGEND:

PROPERTY LINE
EXISTING LOTS LINE
(TO BE ABOLISHED)

SCALE: 1"=300'



DAVID BELTRAN, PLS 8482

DATE 3/14/24

DATE



POINT SHEET

POINT SHEET

POINT SHEET

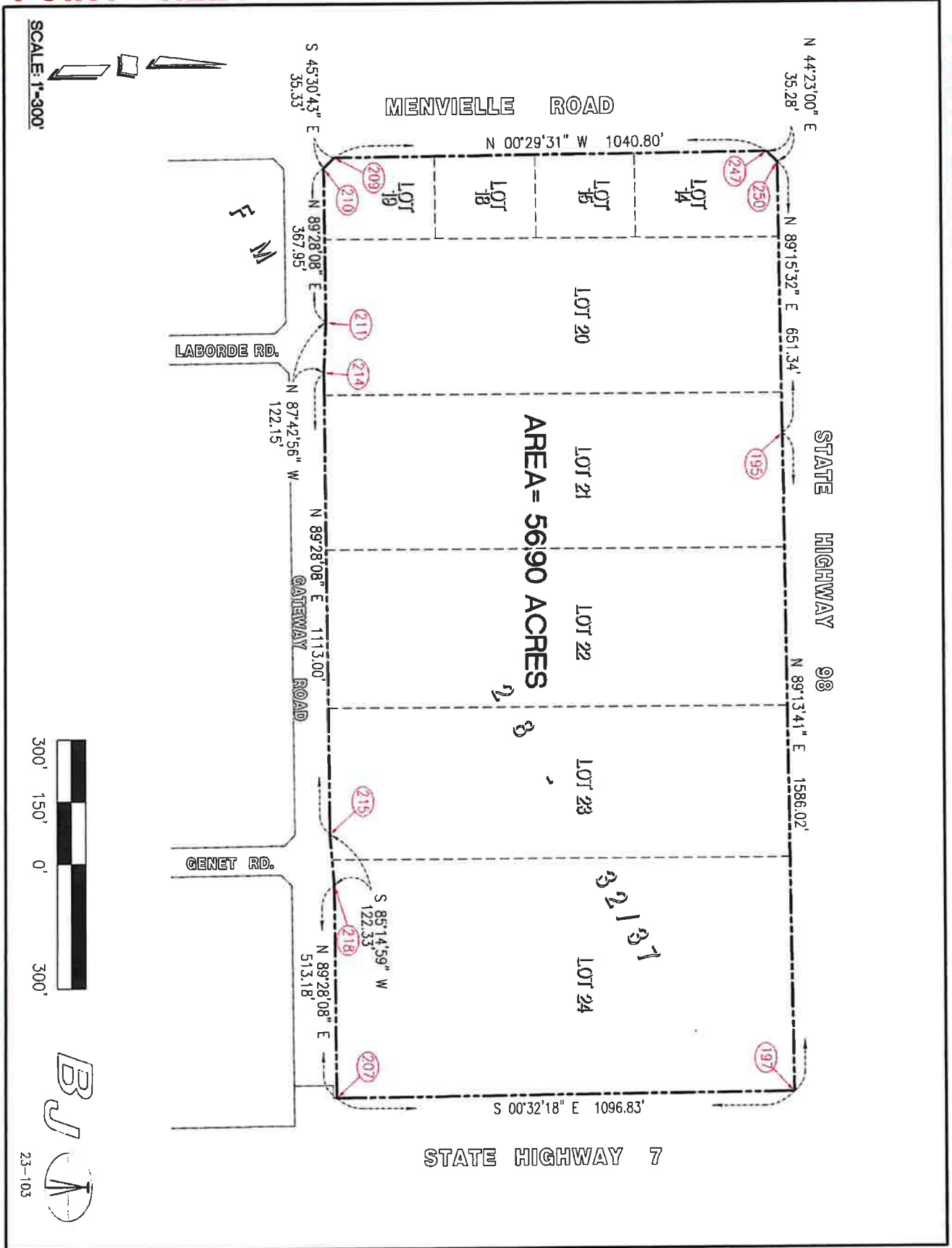
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SCALE: 1"=300'



23-105

IMPERIAL COUNTY PLANNING & DEVELOPMENT SERVICES GENERAL INDEMNIFICATION AGREEMENT

As part of this application, applicant and real party in interest, if different, agree to defend, indemnify, hold harmless, and release the County of Imperial ("County"), its agents, officers, attorneys, and employees (including consultants) from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney 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 application, whether or not there is concurrent negligence on the part of the County, its agents, officers, attorneys, or employees (including consultants).

If any claim, action, or proceeding is brought against the County, its agents, officers, attorneys, or employees (including consultants), to attack, set aside, void, or annul the approval of the application or adoption of the environmental document which accompanies it, then the following procedures shall apply:

1. The Planning Director shall promptly notify the County Board of Supervisors of any claim, action or proceeding brought by an applicant challenging the County's action. The County, its agents, attorneys and employees (including consultants) shall fully cooperate in the defense of that action.
2. The County shall have the final determination on how to best defend the case and will consult with applicant regularly regarding status and the plan for defense. The County will also consult and discuss with applicant the counsel to be used by County to defend it, either with in-house counsel, or by retaining outside counsel provided that the County shall have the final decision on the counsel retained to defend it. Applicant shall be fully responsible for all costs incurred. Applicant shall be entitled to provide his or her own counsel to defend the case, and said independent counsel shall work with County Counsel to provide a joint defense.

Executed at IMPERIAL California on 1-17 ^{JPM}~~201~~-2024

APPLICANT

Name: John Pierre Menvielle

By [Signature]

Title OWNER

Mailing Address:

REAL PARTY IN INTEREST

(If different from Applicant)

Name _____

By _____

Title _____

Mailing Address:

ACCEPTED/RECEIVED BY _____ Date _____

PROJECT ID NO _____ APN _____

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Imperial County Planning & Development Services Planning / Building / Parks & Recreation

Jim Minnick
DIRECTOR

NOTICE TO APPLICANT

SUBJECT: PAYMENT OF FEES

Dear Applicant:

Pursuant to County Codified Ordinance Division 9, Chapter 1, Section 90901.02, all Land Use Applications must be submitted with their appropriate application fee. Failure to comply will cause application to be rejected.

Please note that once the Department application is received and accepted, a "time track" billing will commence immediately. Therefore, should you decide to cancel or withdraw your project at any time, the amount of time incurred against your project will be billed and deducted from your payment. As a consequence, if you request a refund pursuant to County Ordinance, your refund, if any, will be the actual amount paid minus all costs incurred against the project.

Please note there will be no exceptions to this policy. Thank you for your attention.

Sincerely yours,

Jim Minnick, Director
Planning & Development Services

RECEIVED BY: *Jim Minnick* DATE: 1-17-2024

OWNER'S AFFIDAVIT

In the event the applicant is not owner, the following shall be signed and acknowledge by the owner.

Permission is hereby granted to BJ Engineering & Surveying, Inc to apply for this
(Lessee, Tenant, Contractor-Specify)

Lot Merger on the described property located at address
(State permit type clearly i.e. building, land used)

Eastside of Menvielle Rd / Northside of Gateway Further identified by Assessor's Parcel Number

(APN) 059-210-065 thru 073 is hereby granted.

[Signature]
OWNER (SIGNATURE)

John Pierre Menvielle
OWNER (TYPED OR PRINT)

P.O. Box 2712 El Centro, CA 92244
OWNER'S ADDRESS

1-17-2024
DATE

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

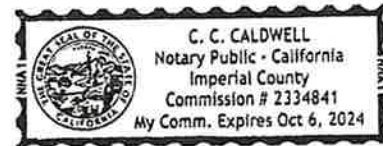
STATE OF CALIFORNIA
COUNTY OF Imperial } S.S.

On January 17, 2024 before me,
C.C. Caldwell personally appeared
John Pierre Menvielle, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature C.C. Caldwell (Seal)



ATTENTION NOTARY: Although the information requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to unauthorized document.

Title or Type of Document _____
Number of Pages _____ Date of Document _____
Signer(s) Other Than Named Above _____

**ATTACHMENT “F”
COMMENT LETTERS**

AIR POLLUTION CONTROL DISTRICT



May 29, 2024

RECEIVED

By Imperial County Planning & Development Services at 7:48 am, May 30, 2024

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

SUBJECT: Lot Merger 00159 – John Pierre Menvielle, Robert Fred Menvielle, and Sharon Menvielle

Dear Mr. Minnick:

The Imperial County Air Pollution Control District (Air District) would like to thank you for the opportunity to review and comment on Lot Merger (MERG) 00159 (Project). The project proposes merging nine contiguous parcels for the development and construction of infrastructure for seven industrial buildings. The existing parcels are identified with Assessor's Parcel Numbers 059-210-065, 066, 067, 068, 069, 070, 071, 072, and 073 and the resulting parcel will be approximately 56.9 acres.

The Air District reminds the applicant that the project and all developments must comply with all Air District Rules & Regulations and would emphasize Regulation VIII – Fugitive Dust Rules, a collection of rules designed to maintain fugitive dust emissions below 20 % visual opacity.

Finally, the Air District requests a copy of the finalized map for its records.

For convenience, all Air District rules and regulations can be accessed online at <https://apcd.imperialcounty.org/rules-and-regulations>. Should you have any questions or concerns please feel free to contact the Air District by calling our office at (442) 265-1800.

Respectfully,

Ismael Garcia
Environmental Coordinator

Reviewed by,
Monica Soucier
APC Division Manager



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May 20, 2024

RECEIVED

By Imperial County Planning & Development Services at 1:51 pm, May 20, 2024

Ms. Rocío Yee
Planner I
Planning & Development Services Department
County of Imperial
801 Main Street
El Centro, CA 92243

SUBJECT: Lot Merger No. 00159

Dear Ms. Yee:

On this date, the Imperial Irrigation District received from the Imperial County Planning & Development Services Department, a request for agency comments on Lot Merger No. 00159. The applicants, John P. Menvielle, Robert F. Menvielle and Sharon Menvielle, propose to merge nine (9) parcels located at 1754 Gateway Road, Calexico, California (APNs 059-210-065 thru -073) for the development and construction of seven (7) industrial buildings.

The IID has reviewed the application and has the following comments:

1. On the matter of electrical service for the future home and garage, the applicant should be advised to contact Joel Lopez, IID project development planner, at (760) 482-3444 or e-mail Mr. Lopez at JFLopez@IID.com to initiate the customer service application process. In addition to submitting a formal application (available for download at the website <http://www.iid.com/home/showdocument?id=12923>), the applicant will be required to submit an AutoCAD file of site plan, approved electrical plans, electrical panel size and panel location, operating voltage, electrical loads, project schedule, and the applicable fees, permits, easements and environmental compliance documentation pertaining to the provision of electrical service to the project. The applicant shall be responsible for all costs and mitigation measures related to providing electrical service to the project.
2. Electrical capacity is limited in the project area. A circuit study may be required. Any system improvements or mitigation identified in the circuit study to enable the provision of electrical service to the project shall be the financial responsibility of the applicant.
3. Applicant shall provide a surveyed legal description and an associated exhibit certified by a licensed surveyor for all rights of way deemed by IID as necessary to accommodate the project electrical infrastructure. Rights-of-Way and easements shall be in a form acceptable to and at no cost to IID for installation, operation, and maintenance of all electrical facilities.
4. Any construction or operation on IID property or within its existing and proposed right of way or easements including but not limited to: surface improvements such as proposed

Rocio Yee
May 20, 2024
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new streets, driveways, parking lots, landscape; and all water, sewer, storm water, or any other above ground or underground utilities; will require an encroachment permit, or encroachment agreement (depending on the circumstances). A copy of the IID encroachment permit application and instructions for its completion are available at <https://www.iid.com/about-iid/department-directory/real-estate>. No foundations or buildings will be allowed within IID's right of way. The IID Real Estate Section should be contacted at (760) 339-9239 for additional information regarding encroachment permits or agreements.

5. Any new, relocated, modified or reconstructed IID facilities required for and by the project (which can include but is not limited to electrical utility substations, electrical transmission and distribution lines, water deliveries, canals, drains, etc.) need to be included as part of the project's California Environmental Quality Act (CEQA) and/or National Environmental Policy Act (NEPA) documentation, environmental impact analysis and mitigation. Failure to do so will result in postponement of any construction and/or modification of IID facilities until such time as the environmental documentation is amended and environmental impacts are fully analyzed. Any and all mitigation necessary as a result of the construction, relocation and/or upgrade of IID facilities is the responsibility of the project proponent.

Should you have any questions, please do not hesitate to contact me at 760-482-3609 or at dvargas@iid.com. Thank you for the opportunity to comment on this matter.

Respectfully,



Donald Vargas
Compliance Administrator II

Jamie Asbury – General Manager
Mike Pacheco – Manager, Water Dept.
Matthew H Smelser – Manager, Energy Dept.
Paul Rodriguez – Deputy Mgr. Energy Dept.
Geoffrey Holbrook – General Counsel
Michael P. Kemp – Superintendent General, Fleet Services and Reg. & Environ. Compliance
Laura Cervantes. – Supervisor, Real Estate
Jessica Humes – Environmental Project Mgr. Sr., Water Dept.