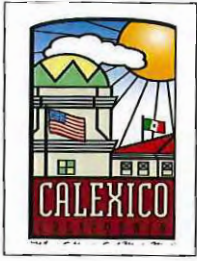


**AGENDA
ITEM**

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CITY COUNCIL AGENDA STAFF REPORT

DATE: October 6, 2021

TO: Mayor and City Council

APPROVED BY: Miguel Figueroa, City Manager *MF*

PREPARED BY: Lisa Tylenda, Planning and Building Services Director *Lty.*

SUBJECT: Adopt Resolution No. _____, a Resolution of the City Council of the City of Calexico Approving an Intent to Collaborate with S&T Capital and The Calexico Unified School District for the potential Development of New Commercial Sites along the Highway 98 Corridor and Intersection of Kloke Avenue; More Specifically Known as Assessor Parcel Numbers:058-852-011, 058-852-009, 058-852-004, 058-853-002, and 058-853-001

=====

Recommendation:

The recommendation from City Staff is to adopt Resolution No. _____, a Resolution of the City Council of the City of Calexico Approving an Intent to Collaborate with S&T Capital and The Calexico Unified School District for the potential Development of New Commercial Sites along the Highway 98 Corridor and Intersection of Kloke Avenue; More Specifically Known as Assessor Parcel Numbers:058-852-011, 058-852-009, 058-852-004, 058-853-002, and 058-853-001 (assessor parcel map attached).

Background:

During June 2021, Mr. Sean Pope, representative for S&T Capital, approached previous City staff with a proposed development vision for the vacant parcels along the north-west side of Highway 98 and parcels located at the intersection of Highway 98 & Kloke Avenue. At the time, city staff assisted and guided Mr. Pope with preliminary inquiries regarding the proposed commercial development.

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S&T Capital have been in prior months and are currently, working with the neighboring school, William Moreno Junior High School and the Calexico Unified School District to address any preliminary development requirements that may be needed on behalf of the School District.

During July 2021, Mr. Sean Pope approached previous City Staff, requesting to formalize the intent to develop within the city. S&T Capital have prepared preliminary site plans of the proposed vision for the commercial uses.

Discussion and Analysis:

This staff report focuses on items requiring City Council direction over the coming months related to this proposed development and collaborative effort between administrative staff and the developers. The goal of this proposed collaboration is for the city to achieve infill of vacant sites, create further avenues for the generation of sales taxes, the development process aims to provide authentic engagement that is inclusive, dialogue-centric, culturally competent, and transparent during the collaboration.

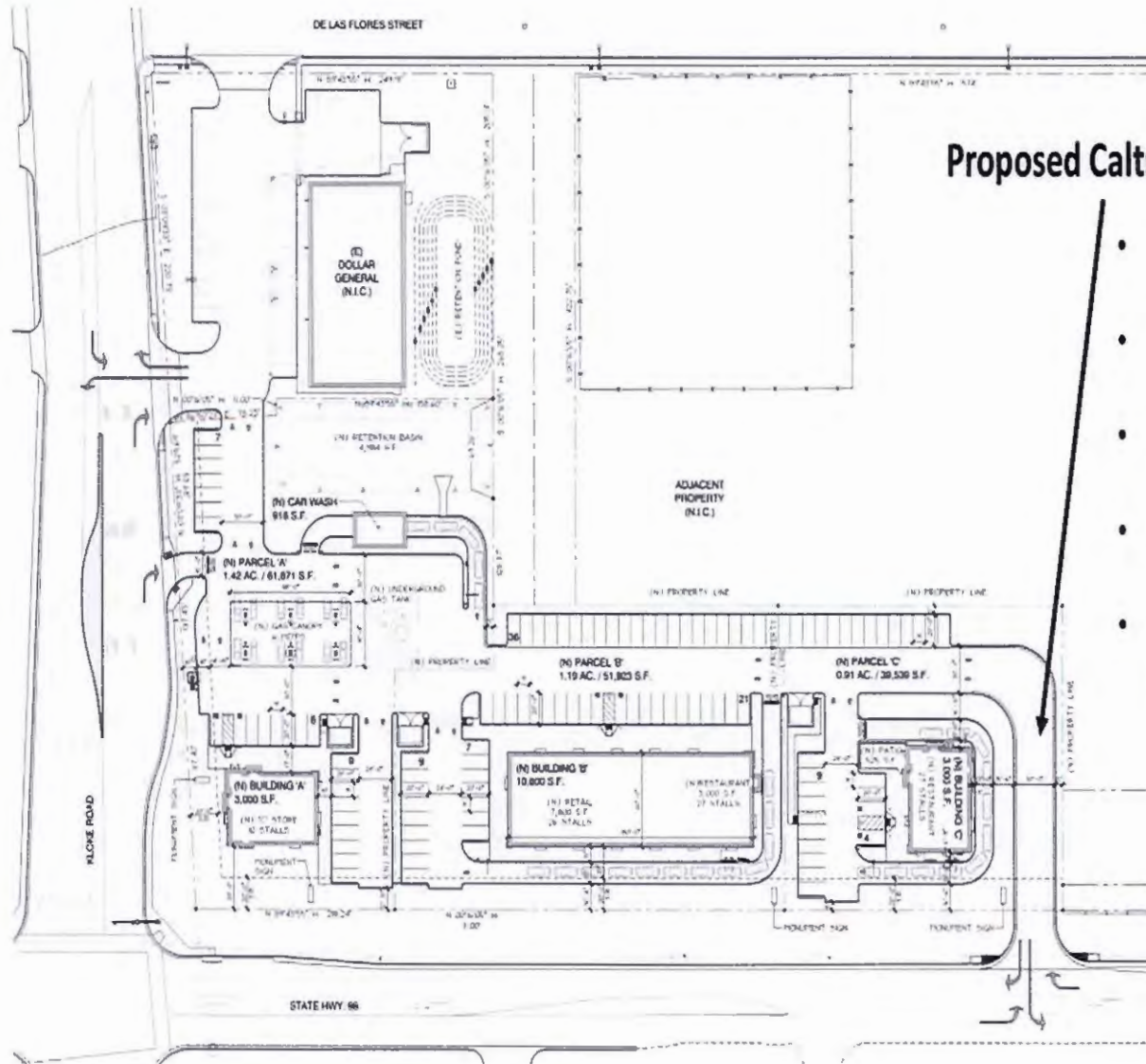
Coordinated With:

- City Manager's Office.

Attachment(s):

- Resolution No. _____
- Preliminary Site Plans of Proposed Commercial Development
- Letter of Intent to Sean Pope 9/16/2021 from Planning and Building Services

Caltrans Access to Hwy 98



Proposed Caltrans entry/exit

- Minimum Distance from Corner of Kloke & Hwy 98 is xxx Feet.
- Caltrans has provided preliminary review and guidance.
- S&T will process all permits and approvals through Caltrans.
- Approximate cost \$250,000 which includes construction.
- S&T will provide Cross Access Easement to Calexico Unified Land.

Parcel Data	
Parcel A	1.42 AC / 61,871 S.F.
Parcel B	1.19 AC / 51,823 S.F.
Parcel C	0.21 AC / 39,530 S.F.
Total	2.82 AC / 153,224 S.F.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALEXICO APPROVING AN INTENT TO COLLABORATE WITH S&T CAPITAL AND THE CALEXICO UNIFIED SCHOOL DISTRICTS FOR A PROPOSED DEVELOPMENT PROJECT OF NEW COMMERCIAL SITES TO BE LOCATED ON THE CORNER PARCELS BETWEEN KLOKE AVENUE AND HIGHWAY 98; MORE SPECIFICALLY KNOWN AS ASSESSOR PARCEL NUMBERS: 058-852-011, 058-852-009, 058-852-004, 058-853-002, and 058-853-001.

WHEREAS, during May 2021, City of Calexico Staff received a request from S&T Capital for collaborative efforts to explore the potential development of new commercial sites to be located on the following assessor parcel numbers: 058-852-011, 058-852-009, 058-852-004, 058-853-002, and 058-853-001; and

WHEREAS, the proposed collaborative resolution does not suggest nor guarantee what, if any, action the City Council will ultimately take during the collaborative phases or once the proposed project application is formally submitted to the City of Calexico to begin the planning, building, engineering review and entitlement process; and

WHEREAS, the proposed collaborative resolution is not an approval of any proposed project, nor does the collaborative effort or resolution reflect approval of any type of entitlement; and

WHEREAS, the proposed new commercial development must submit formal planning, building, and engineering applications to the City of Calexico for review, processing, and action by the Planning Commission and City Council; and

WHEREAS, applicant must obtain approvals from all local, State, and Federal agencies for the proposed new commercial development; and

WHEREAS, the applicant must be in compliance with all local jurisdictions, State, or Federal development requirements, the proposed collaboration between city staff and S&T Capital is only to ensure that the proposed development reflects the performance and development standards within the City's ordinances;

WHEREAS, the proposed commercial project must be developed, processed, and reviewed per the California Environmental Quality Act (CEQA); and

WHEREAS, the proposed collaboration process is to receive input from the Planning Commission and City Council; and

WHEREAS, the applicant will be responsible for all costs related to project approvals, permitting, plan checking and inspections, and for all ongoing operations and maintenance costs for their proposed new commercial development; and

WHEREAS, this resolution is only to allow the collaboration efforts between staff and S&T Capital along with the Calexico Unified School District, prior to the official submittal of any formal development application is submitted to the City of Calexico; and

WHEREAS, this collaborative effort will expire either within 60 days after the approval of the "intent to collaborate" resolution or upon the submission of any of the following applications to the City of Calexico: planning, building, or engineering applications, which ever happens first; or

WHEREAS, the City may, at its sole option and for its convenience, terminate at any time, all or any portion of the "intent to collaborate" resolution by giving written notice of such termination to S&T Capital and the Calexico Unified School District via email correspondence; and

BE IT RESOLVED by the City Council, staff will be allowed to collaborate with S&T Capital and the Calexico Unified School District within the outlined parameters:

1. Direct staff to work with the Calexico Unified School District and S&T Capital for 60 days or until the formal submission of any development applications to the City of Calexico; whichever happens first (either the 60 day period or submission of development application).
2. The City may, at its sole option and for its convenience, terminate at any time, all or any portion of the intent to collaborate resolution by giving written notice of such termination to S&T Capital and the Calexico Unified School district.
3. Staff may assist in identifying governmental constraints for proposed projects related to the preliminary development review phase and the logistics of the proposed development.
4. City of Calexico Staff nor the City Council are not responsible for resolving or mitigating any foreseen or unforeseen governmental constraints or non-governmental constraints of any type regarding the proposed project development.
5. Direct staff to create a public engagement program outline during the collaborative efforts.

6. Staff may provide recommendations in regards to designs or aesthetics for the proposed new commercial development.
7. Direct staff to provide a monthly report to the Planning Commission and City Council regarding the collaborative efforts for the proposed new commercial development.
8. Reports to be provided by staff during the second regularly scheduled meetings of the month for both the Planning Commission and City Council.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Calexico held on October 6, 2021 by the following vote:

AYES:

ABSENT:

NOES:

ABSTAIN:

Gabriela T. Garcia, City Clerk, City of Calexico

STATE OF CALIFORNIA
City of Calexico

I, Gabriela T Garcia, City Clerk of the City of Calexico, State of California, hereby certify the above and foregoing to be a full, true and correct copy of a resolution adopted by said City Council on this 6th day of October 2021.

Gabriela T. Garcia, City Clerk of the City of Calexico,
State of California

By: _____
Carlos Campos, City Attorney



City of Calexico
Planning and Building Services Department

Phone: 760.768.2105 Fax 760.357.7862 Email: planning@calexico.ca.gov
Via Email Only
www.calexico.ca.gov

S&T Capital Group
Attention: Sean Pope
P.O. Box 914
Solana Beach, CA 92075

September 16th, 2021

Re: Vacation/Abandonment of Canal Street

Dear Mr. Pope,

Please let this letter serve to notice you that the City of Calexico has received your request for the Vacation/Abandonment of a portion of Canal Street that abuts your property.

During the analysis portion of your request, the City has recognized that the right-of-way established in approximately a 1981 subdivision/annexation process, was never used as a roadway, and was not vacated nor abandoned prior to the project proposal.

The portion of Canal Street that is proposed to be vacated/abandoned, has been identified as a 60-foot wide "paper street" (see Attachment "A"). A paper street is a road or street that appears on maps but does not exist in reality.

The Planning and Building Services Department, in conjunction with the City Manager's office, would like to inform you of the following process that your request entails, but not limited to:

- The City is legally required by the State of California Streets and Highways Code, Section 8300, to go through a multistep process in order to abandon public right-of-way and public easements.

Abandonment procedure:

- The process begins when a property owner submits a completed Uniform Application to the Planning and Building Services Department to have a public right-of-way or public service easement abandoned. If any planning entitlements are being requested at the same time as a vacation, it may be processed simultaneously.

- The applicable abandonment procedure is a three step process that first requires that City Council adopt a resolution of intent to abandon the public right-of-way and public utility easements.
- The resolution for the abandonment request is taken to the Planning Commission for consideration.
- At said meeting, the Planning Commission then sets the time and date for the City Council public hearing.
- The Planning Commission would review the abandonment/vacation request to determine if it is compatible with the City's general plan, and forward its recommendation to the City Council for approval of the abandonment at the public hearing.
- Staff would advertise notices of the public hearing in the newspaper and at the site in accordance with the requirements of the Streets and Highways Code.
- An affidavit of posting would then be filed with the city clerk.
- Should the utility agencies, affected parties, Planning Commission, and City Council consider the abandonment favorably, a resolution ordering the vacation and abandonment of the public right-of-way and public utility easements adjacent to and within 100-110 feet (or otherwise required per Code standards) of Canal Street would be recorded by the applicant and city clerk at the Imperial County Clerk Recorders Office.

Intent:

The City Manager's Office along with the Planning and Building Services Department, would like to express, that at an administrative level, there is support to propose a formal collaboration request via resolution to the City Council on October 6th, 2021 regarding the intent to collaborate with S&T Capital Group for the development and construction of a new commercial retail operation to be located at the northeast corner of HWY 98 and Kloke Road within the City of Calexico (Please see attached Preliminary Site Plans and "Land-swap" details between the Calexico Unified School District and S&T Capital).

Please Note:

Such support at an administrative level, does not suggest nor guarantee what, if any, action the Council will ultimately take at the collaboration phase or once the proposed project application is formally submitted to the City of Calexico to begin the planning, building, and engineering review and entitlement process.

As you may know, such development projects, as the one being proposed by S&T Capital Group, may involve the creation of resolutions, ordinances, Caltrans review/inputs, local stakeholder's reviews/inputs, CEQA review, compliance with either local jurisdiction, State, or Federal development requirements/ laws, Public Outreach Efforts, Public Hearing Notices, Planning Commission Review, and City Council Action.

Please complete the Planning and Building Services Department Uniform Application and submit it via email in PDF form to planning@calexico.ca.gov and mail in a hardcopy with a wet signature to:

Planning Division
608 Heber Avenue
Calexico, CA 92231

Once received, the Planning and Building Services Staff will begin to process the application.

If there are any questions regarding this letter, please feel free to contact either City Manager's Office via phone: 760-768-2110 or the Planning and Building Services Department via email: planning@calexico.ca.gov.

Sincerely,

Lisa Tylanda
Planning and Building Services Director
Planning and Building Services Department
City of Calexico
Phone: 760-768-2105
Email: ltylenda@calexico.ca.gov

Cc:

Miguel Figueroa, City Manager
Liliana Falomir, Public Works Manager
Ivan Negrete, Engineering Division