



BRAWLEY PLANNING COMMISSION

November 4, 2020

The Planning Commission of the City of Brawley, California, met in Regular Session **via Zoom** at 5:30 p.m., City Council Chambers, 383 Main Street, Brawley, California, the date, time, and place duly established for the holding said meeting. The City Clerk attests to the posting of the agenda pursuant to the G.C.54954.

1. CALL TO ORDER/ ROLL CALL

Chairman Hutchinson called meeting to order @ 5:30 pm

PRESENT: Goyal, Tavares, Bumbera, Hutchinson, Palacio
ABSENT: Marquez, Smith

2. APPROVAL OF AGENDA

The agenda was **approved** as submitted. m/s/c Goyal/Palacio 7-2

PRESENT: Goyal, Tavares, Bumbera, Hutchinson, Palacio
ABSENT: Marquez, Smith
ABSTAIN: None

3. PUBLIC APPEARANCES There was none

The minutes were **approved** as submitted. m/s/c Goyal/Palacio 7-2

PRESENT: Goyal, Tavares, Bumbera, Hutchinson, Palacio
ABSENT: Marquez, Smith
ABSTAIN: None

4. CUP 20-01

A conditional use permit (CUP20-01) submitted by Stacey Hoyt, Ph.D. is to allow for an outpatient individual and group substance abuse counseling treatment clinic to operate in an existing building at 525 Main Street. The Development Review Committee approved the conditional use permit on October 1, 2020. A formal appeal was received and is being presented to the Planning Commission.

Property Owner: Dr. Stacey Hoyt

Legal Description: LOTS 13 & 14 BLK 71 TOWNSITE OF BRAWLEY OM 1 15 , City of Brawley, County of Imperial, State of California, APN 047-380-031.

Development Services Director Gaste presented the staff report to the Planning Commission. He clarified that the treatments provided would be counseling treatments and there would be no medication assisted substance abuse treatments such as methadone provided. In addition, he reminded the Commission that the City cannot discriminate a medical office based on services provided, and gave background on similar projects that have gone through the entitlement process.

Dr. Hoyt, Applicant, presented her project to the Planning Commission, and shared her thoughts on the importance of educating families and removing the stigmas associated with drug addiction. She also advocated on behalf of her clients and added that they are getting treatment to be assets to the community. She also shared her intentions on future goals for her practice, including opening her practice to the community as a whole, and not just her clients on government contracts.

Commissioner Goyal, asked the size she anticipates having at a given time and also asked what the current hours of operation are.

Dr. Hoyt, informed the commission that she wouldn't have any more than 10 patients at any given time in a group session. This would allow staff members to adequately treat a patient is having a crisis. If there were a time in the future when there would be additional licensed clinicians there could be additional groups in total adding up to 30 patients. Operating hours would be from 8:00 A.M. to 6:30 P.M..

Katie Luna, Brawley Chamber CEO, gave public comments to the Planning Commissioners on behalf of her membership. She made note that these services are both needed and welcomed in the City of Brawley. Right idea, wrong location. She also noted comments made during the DRC public hearing including concerns of best practices followed by the building owner, concerns for lack of integration with surrounding land uses, potential businesses leaving the downtown area due to fear. There were also concerns for loitering, as the current clientele are federal felons who are seeking treatment as part of release, are not willingly seeking treatment, and added that there was mention of some clients receiving psychotropic medication for psychological issues. There was no clear plan for mitigating loitering presented as Dr. Hoyt stated that they are allowed to arrive 10 minutes before an appointment and leave 10 minutes after the appointment. However, they may not always leave the area in some cases. She mentioned that some clients are using public transportation, which asks the question: How are we able to mitigate loitering in the surrounding area if someone is waiting for the public transportation? There are also public safety concerns, as there will be 20-30 individuals at any given time in the practice. There may or may not be 20-30 individuals who are federal felons that may also have psychological issues who just had an intense counseling session and are waiting for public transportation. She added that this block is trafficked by children and there are small businesses including shops and restaurants. She also quoted a section of the Downtown Specific Plan regarding the vision of Downtown.

Commissioner Goyal, asked Ms. Luna how many complaints she has received from the current location?

Ms. Luna, informed the Commissioner Goyal that they have not received complaints of the location on the one on one capacity regarding loitering and public safety. The main concern they have heard is why that location has paper covering their windows.

Commissioner Goyal followed up and asked Ms. Luna the following: If there are no problems to date

with the current business model, Why would we expect there to be problems when we increase number of sessions?

Ms. Luna, added that the concern is with the size of the building and the increased treatment of individuals with substance abuse. She also mentioned that they reached out the Halfway house, and there was concern because individuals were excited of meeting with group sessions because they could congregate with their friends, which could be an avenue for mischievous activity. If there is no mitigation for loitering, how would we be sure that there would not be activity that affect the surrounding area.

Commissioner Goyal, then asked if the Chamber or thee communities who signed the petition would be o.k. with the location at the new location with no changes to the business model.

Ms. Luna, informed Commissioner Goyal that they would not be o.k. with it because we would be eliminating a space that can serve as an anchor to the downtown area to begin revitalization efforts.

Development Services Director Gaste, commented that these concerns are all based on perception. He added that we cannot discriminate by treat these individuals differently than anyone else because they are getting treatment for substance abuse. He added that the Downtown Specific Plan has incentives such as no City Impact Fee's in the area. The issue with revitalization is not a recruitment issue, but a market issue. The City doesn't have funds at this time to offer monetary assistance to businesses to help stimulate economic development.

Chairman Palacio, added that he understands the issues the City has, and doesn't judge anyone getting substance abuse treatment. However, this business does not appear to be conducive to the downtown surrounding area.

Eric Reyes, gave public comments regarding the project and added that he has spent time advocating for access to services for the underserved community. There is a drug problem in the community and there should be places for treatment but this is not the correct area. This should be located in an around outside of the downtown area in a self-contained area. He asked the Commission to consider denying the conditional use permit, and allowing the applicant to appeal to the City Council.

Gil Rebollar, shared his personal history with abuse treatment and is in support of the project. He added that he went through a similar program years ago in a community outside the Imperial County, as there was no such treatment here at the time. The center was located in a downtown area and did not affect the surrounding area negatively.

Karla Cardoza, added that she is a clinical social worker who works with youth and has seen how substance abuse affects families in Brawley. She added that she is in support of the substance abuse clinic and Dr. Hoyts services, which she is providing to a vulnerable population.

Commissioner Tavares asked Interim Police Chief Houser if he had any concerns or comments regarding loitering.

Interim Police Chief Houser added that historically there have not been any public safety and loitering issues in this area due to the businesses.

Fire Chief York, also added that they have not had any calls for service at the current location in the last six years.

Commissioner Tavares made the motion to approve the conditional use permit with the added condition to have a permit review within 6 months of operation at the new location and follow up review as appropriate. The motion died due to lack of second motion.

The Commission **denied** the application as proposed. m/s/c Goyal/Palacio 7-2

AYE: Goyal, Bumbera, Hutchinson, Palacio
NAY: Tavares
ABSENT: Marquez, Smith

5. REVIEW AND ADOPTION OF THE PLANNING COMMISSION RULES 2020-2021

The Planning Commission **adopted** the Planning Commission Rules 2020-2021. m/s/c Palacio/Hutchinson/7-2

PRESENT: Palacio, Marquez, Smith, Bumbera, Hutchinson
ABSENT: Marquez
ABSTAIN: None

7. ELECTION OF OFFICERS 2020-2021

The Planning Commission **elected** Darren Smith to Chairman. m/s/c Palacio/Tavares/7-2

PRESENT: Palacio, Marquez, Bumbera, Hutchinson, Tavares
ABSENT: Marquez, Smith
ABSTAIN: None

The Planning Commission **elected** Juan Tavares to Vice-Chairman. m/s/c Palacio/Goyal/7-2

PRESENT: Palacio, Marquez, Bumbera, Hutchinson, Tavares
ABSENT: Smith, Marquez
ABSTAIN: None

8. ADJOURNMENT @ 7:07 p.m.

Gordon R. Gaste
AICP CEP, Development Services Director