

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

The meeting was called to order by Vice Chairman Marquez at 5:35 p.m.

Present: Bumbera, Hutchinson, Marquez, Reyes, Sagredo

Absent: Goyal

Commissioner Smith arrived at 5:36 p.m.

APPROVAL OF AGENDA

Motion: The Planning Commission approves the agenda as presented. m/s/c Reyes/Sagredo 6-0

APPROVAL OF MINUTES

Motion: The Planning Commission approves the minutes of June 26, 2013 as presented. m/s/c

Sagredo/Bumbera 6-0

PUBLIC APPEARANCES

Vice Chairman Marquez called for public appearances. There were none.

PUBLIC HEARING

Due notice having been given, now is the time to consider an application for a site plan (SP13-04) and conditional use permit (CUP13-03) to allow for the addition of a fuel station at the site of an existing supermarket in a C-2 (Medium Commercial) zone.

Applicant: Travis Companies, Inc. for The Vons Companies, Inc., Store 1767, 4430 E. Miraloma Avenue, Suite F, Anaheim, CA 92807

Location: 475 West Main Street, more particularly described as that Portion of Parcel E, COC LLA6-01, South 320 feet of Lot 12, Rio Vista Rancho Subdivision, City of Brawley, County of Imperial, State of California, APN 046-260-051.

Open Public Hearing 5:37 p.m.

Gordon Gaste gave an overview of the Planning Commission Staff Report. He explained that he calculated the number of parking spaces for the entire shopping center and found that the amount was over what was required; the applicants will widen two driveways on Main Street to Caltrans and ADA standards. He stated the applicant was present for any questions.

Carl Hoy, Travis Engineering, addressed the Commission. He stated that the applicants were in complete concurrence with the Planning Commission Staff Report, staff recommendations, conditions of approval; and the completion of the widened driveways will provide safer, easier access. Commissioner Bumbera asked the present and proposed width of the driveways. Mr. Hoy replied: presently 28.2 or 28.6 feet and proposed width, with CalTrans approval of ADA radius, 54-58 ft wide. Commissioner Hutchinson discussed his concerns about RV traffic; he asked about access to the ATM Kiosk. Mr. Gaste and Mr. Hoy demonstrated the boundaries of his projects and explained that the ATM kiosk and the driveway immediately to the east are not included in the project boundaries. He described the agreements reached between the owners of the property (Rite Aid) on which the ATM kiosk and east driveway are located, CalTrans, Vons Store, and businesses in the shopping center. He added that he could not speak to any conditions that would involve property not within the depicted boundaries. He explained that Vons has agreed to provide three parking spaces to complete a total of 5 parking spaces for the ATM Kiosk. He stated that both Main Street driveways will be widened and described the removal and relocation of poles and lines to accommodate the wider driveways. Commissioner Bumbera expressed his concerns about traffic congestion, RV access and parking, pedestrians, and traffic hazards on Main Street and on Rio Vista Avenue. Mr. Hoy stated that he submitted traffic studies to CalTrans and city staff in 16-hr and 24-hr format analyses; Caltrans gave a green light to the city; a detailed utilization study was included. A discussion about traffic congestion and circulation ensued. Commissioner Sagredo asked if one-way only ingress and egress will be provided. Mr. Hoy replied that Vons has cautious, spacious design, "enter only" will be from the east driveway and "exit only" will be on the west driveway; a store attendant and a traffic control attendant will be on duty during all hours of operation. Commissioner Smith asked why traffic will be directed from east to west. Mr. Hoy stated that stacking space is provided for up to four

cars per dispenser. In response to Commissioner Smith he stated that diesel will be sold at the furthest (bottom two) dispensers. A discussion ensued about the possibility of overcrowding in the stacking area. Commissioner Smith discussed the circulation problems he observed at noon time and the CalTrans restrictions on the egress. Vice Chairman Marquez discussed his concerns about RV traffic. Commissioner Reyes asked if a right turn only sign can be installed to address concerns about traffic back up waiting to turn left. Mr. Hoy stated that the proposed site plan is the third revision. Commissioner Bumbera asked if the site plan can be revised. Mr. Hoy replied that this is the site plan submitted for approval. Commissioner Reyes confirmed that Rite Aid has signed off on the proposed site plan. Mr. Hutchinson noted that traffic analyses might change during busier winter visitor season. Vice Chairman Marquez asked about the color scheme. Mr. Hoy replied that color and materials will match existing structures. Commissioner Smith asked if Vons owned parcels to the north. Mr. Hoy replied no, and named who he believed owns the other parcels in the shopping center. Commissioner Smith discussed his concerns about circulation and congestion. Commissioner Bumbera and Commissioner Hutchinson discussed the egress/ingress to the shopping center from Rio Vista Avenue. Vice Chairman Marquez asked for spaces designated for RVs, employees, and commuter vans to be located at the north side of Vons. Commissioner Hutchinson said he wanted to motion for approval as presented. Commissioner Sagredo stated that he was ready to second that motion. Commissioner Reyes asked for more discussion on a "right turn only" sign at the east driveway on Main Street. Mr. Gaste stated that it could be added as a condition of approval. Mr. Hoy reminded the Commission that the location is not in the project's boundaries and he cannot satisfy that condition. Commissioner Smith asked about relocation of the ATM Kiosk. A discussion ensued. Mr. Hoy replied that it was discussed with Rite Aid but it is not in the project's boundaries; he described the property lines; he described the discussions and negotiations between Rite-Aid and the merchant association in the Rio Vista Shopping Center regarding the driveways and the kiosk. Commissioner Hutchinson asked if this could be taken up at a later date for time to talk to the association about the kiosk. Commissioner Reyes asked if the site plan is approved, could an agenda item be called to require a "right turn only" sign. He asked if the Commission has jurisdiction. Mr. Gaste replied that it can be a condition of approval; the applicants will be responsible for compliance. Commissioner Smith added that if they can't comply then they would have to go back to the drawing board. City Manager Rosanna Bayon Moore addressed the Commission. She suggested that the item be continued to allow time to sort out the issues of the Kiosk and the driveways. Commissioner Hutchinson asked when construction is planned to begin. Mr. Hoy replied 35 days after the appeal period. He added that a 30-day continuance would not be enough time to resolve the issues; the project is on a time deadline; \$1.7 million is available now; but the window of opportunity will close October 1; they would lose investment, fees and tax revenues; based on his experience the response from all other parties will not be concluded in 6 months; and he has successfully completed 38 fuel centers. Commissioner Hutchinson asked if the issue was the right turn only sign or the kiosk. Commissioner Smith replied that if the kiosk was removed, the driveway could then accommodate one ingress and two egress lanes. Mr. Hoy explained that would involve completion of entirely new parcel maps to change property lines; Vons does not own that property, does not have an easement, has no right to that property. Commissioner Smith asked if there was a common area maintenance agreement. Mr. Gaste replied that there is a business association. Commissioner Smith confirmed that the association has control over all ingress/egress and asked if they can widen the driveways on Rio Vista Avenue. Commissioner Sagredo asked if the city could require widening the driveways on Rio Vista. Mr. Gaste replied that they could under particular circumstances. Francisco Soto, Building Official reminded the Commission that the driveway has been widened to the maximum, changing parking spaces to compact size to accommodate businesses in that corner of the shopping center. A discussion ensued about the congestion and difficulties at the two driveways on Rio Vista Avenue. Mr. Gaste stated that the police department for the past four years has counted 5-6 accidents per year at the shopping center and if analyzed would have nothing to do with the driveways but are just people not paying attention. Commissioner Bumbera expressed his concerns about approval. Commissioner Smith suggested postponing for two weeks. A discussion ensued about a continuance to deal with the separate issues. Commissioner Reyes commented

that, contrary to previous statements, the city would not necessarily gain additional revenues from the project; Vons will be siphoning from existing fuel stations in the city; an investment made does not always make a return for the community.

Vice Chairman Marquez asked for any comments for or against the project. There were none. He asked if Commissioner Hutchinson would accept an amendment to his original motion. He agreed.

Close Public Hearing 6:25 p.m.

Motion: The Planning Commission makes findings consistent with the Planning Commission Staff Report and approves the site plan (SP13-04) and conditional use permit (CUP13-03) allowing the construction of a fuel station in a C-2 (Medium Commercial) zone, subject to compliance with the conditions of approval as amended to include the provision of designated parking spaces on the north of Vons supermarket for RVs, employees, and commuter vans. m/s/c Hutchinson/Sagredo 4-2

Bumbera: Nay Goyal: Absent Hutchinson: Aye Marquez: Aye

Reyes: Aye Sagredo: Aye Smith: Nay

TRANSITIONAL HOUSING AND SUPPORTIVE HOUSING

Due notice having been given, now is the time to consider an amendment to the City of Brawley Municipal Code, Chapter 27 – Zoning Ordinance. Gordon Gaste explained the city is updating the General Plan Housing Element and that the addition of the definitions of transitional housing and supportive housing to the zoning ordinance, to the standards of use and development, and to the Housing Element goals and objectives are, at this time, a housekeeping measure. He stated that the city has been utilizing the definitions and the goals and objectives as presented but the state-required Housing Element must, in a more specific manner, include these two types of housing.

Motion: The Planning Commission adopts the definitions of transitional housing and supportive housing along with related changes to the Zoning Ordinance as presented and recommends that the City Council adopt the changes to the Zoning Ordinance relative to Transitional Housing and Supportive Housing as presented. m/s/c Smith/Sagredo 6-0

PLANNING COMMISSION RULES 2013-2014

Vice Chairman Marquez called for discussion on the rules. Commissioner Smith asked if there were any changes. Gordon Gaste replied that there were none.

Motion: The Planning Commission adopts the Planning Commission Rules for 2013-2014 as presented. m/s/c Smith/Bumbera 6-0

ELECTION OF OFFICERS 2013-2014

Vice Chairman Marquez opened nominations for Chairman. Commissioner Bumbera nominated, Commissioner Sagredo seconded, George Marquez for Chairman. Vice Chairman Marquez asked for any other nominations. There were none. He called for a vote. George Marquez was elected 6-0

Vice Chairman Marquez opened nominations for Vice Chairman. Commissioner Sagredo nominated, Commissioner Reyes seconded, Kevan Hutchinson for Vice Chairman. Vice Chairman Marquez asked for any other nominations. There were none. He called for a vote. Kevan Hutchinson was elected 6-0.

ZONING CODE ENFORCEMENT

Francisco Soto, Building Official addressed the Commission. He stated that he had nothing specific to report; they are making concerted efforts on removing or temporarily permitting banner signs; they are aggressively working on the 100-800 blocks of Main Street clearing fire hazards and attractive nuisances with property owner cooperation; trying to lock trash containers; graffiti is being eliminated. Commissioner Bumbera thanked and commended city administration for clearing out the encampment at the New River. Commissioner Sagredo asked what was going on about the water tower at Hinojosa Park. City Manager Rosanna Bayon Moore replied that an appeal will be heard at the next Planning Commission meeting. She added that the Sheriff's Office is looking at property on 8th and G Streets for a multipurpose use building with industrial kitchen; the City Council will take it up on Monday 9/16/13 at 6:00 pm; the transit station is in use and a grand opening event is planned when the Gold Line begins operations.

ADJOURNMENT

Motion: The meeting of the Planning Commission adjourns at 6:33 p.m. m/s/c Sagredo/Markquez 6-0