



PLANNING COMMISSION
MARK HAMMERNESS, CHAIRPERSON
STACY MENDOZA, VICE CHAIRPERSON
ALICE ABATTI, COMMISSIONER
VERONICA HARVEY, COMMISSIONER
RUBEN RIVERA, COMMISSIONER

AGENDA

**PLANNING COMMISSION
TRAFFIC COMMISSION
REGULAR MEETING**

**220 West 9th Street
IMPERIAL, CA 92251**

**WEDNESDAY, AUGUST 10, 2022
6:30PM**

The Imperial Planning Commission Meetings, including public comments, are being Livestreamed on the City's social media pages. If attending in person, by remaining in the room, you are giving your permission to be recorded.

1. You are encouraged to observe the City Council meetings via Livestream at the City of Imperial Facebook page.
2. Email public comments to publicinformation@cityofimperial.org by 5:00 pm on Wednesday, August 10, 2022. Comments received by 5:00 pm will be read into the record during the regular meeting.

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT (760) 355-4373. NOTIFICATION 48 HOURS PRIOR TO THE MEETING WILL ENABLE THE CITY TO MAKE REASONABLE ARRANGEMENTS TO ENSURE ACCESSIBILITY TO THIS MEETING [28CFR 35.102-35.104 ADA TITLE II]

A. PLANNING COMMISSION CALL TO ORDER:

**6:30 PM
ROLL CALL
PLEDGE OF ALLEGIANCE
ADJUSTMENTS TO THE AGENDA**

B. PUBLIC APPEARANCES

B-1. Matters not appearing on the agenda. If you wish to address the Planning Commission concerning any item not appearing on the agenda and within the Commission's jurisdiction, please raise your hand and be acknowledged by the Chairperson, and at that time state your name and address for the record. The Chairperson reserves the right to place a time limit on each person's presentation of three (3) minutes. It is requested that longer presentations be submitted to the Commission in writing.

B-2. Matters appearing on the agenda. If you wish to address the Planning Commission concerning any item appearing on the agenda within the Commission's jurisdiction, please raise your hand and be acknowledged by the Chairperson, and at that time state your name and address for the record. The Chairperson reserves the right to place a time limit on each person's presentation of three (3) minutes. It is requested that longer presentations be submitted to the Commission in writing.

C. CONSENT CALENDAR

C-1. Approve Planning Commission Meeting Minutes for July 13, 2022 and July 27, 2022.

D. PLANNING COMMISSION NEW BUSINESS: (DISCUSSION/ACTION –RECOMMEND/DENY)

D-1: Subject: Discussion/Action: Reorganization of Planning Commission

1. Appointment of Chairperson for Fiscal Year 2022-2023.
2. Appointment of Vice-Chairperson for Fiscal Year 2022-2023.

F. REPORTS:

F-1: Commissioners' Reports

F-2: Staff Reports

ADJOURN PLANNING COMMISSION MEETING UNTIL NEXT REGULARLY SCHEDULED MEETING AUGUST 24, 2022.

NOTE: Any documents produced by the City and distributed to a majority of the Planning Commission regarding any item on this agenda will be made available at the front counter at City Hall, located at 420 South Imperial Avenue, during normal business hours.



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MINUTES
PLANNING COMMISSION
TRAFFIC COMMISSION
REGULAR MEETING
200 West 9th Street
IMPERIAL, CA 92251
WEDNESDAY, JULY 13, 2022
6:30 PM

A. PLANNING COMMISSION CALL TO ORDER:

Chairman Hammerness called the meeting to order at 6:33pm

Commissioners Present:

Commissioner Rivera, Vice Chair Mendoza, and Chairman Hammerness.

Commissioners Absent:

Commissioner Abatti and Commissioner Harvey

City Staff Present:

City Attorney Turner, Records Analyst Mehdipour, Community Development Director Mora, Community Development Planner Cordero, and City Manager Morita.

The Pledge of Allegiance:

Led by Mark Hammerness.

Adjustments to the Agenda:

None

B. PUBLIC APPEARANCES

B-1. Matters not appearing on the agenda.

None

B-2. Matters appearing on the agenda.

None

C. CONSENT CALENDAR

C-1. Approve Planning Commission Meeting Minutes for March 23, 2022

Discussion:

Chairman Hammerness, observed some grammar issues and a name misspelled. Morita, the corrections will be made and will not change the contents of the minutes.

Action:

Mendoza, made a motion to approve the meeting minutes. Rivera second the motion.

Ayes: Hammerness, Mendoza, Rivera

Nays: None

Abstain: None

Absent: Harvey and Abatti

Motion Passed 3-0

D. PLANNING COMMISSION NEW BUSINESS: (DISCUSSION/ACTION – RECOMMEND/DENY)

D-1: Subject: Public Hearing, Discussion/Action: Conditional Use Permit (CUP 22-04) to allow for the construction of an accessory structure exceeding the allowed height limit at the following address: 253 Puerto Escondido, Imperial, CA 92251, APN#: 044-697-048.

Public Hearing Opened at 6:38 pm

Discussion:

Cordero, provided the staff report. Hammerness, requested to see the photographs that were submitted. Mendoza, requested clarification on the fence location, size, and effects on the neighbors. Cordero, gave specification on the placement of the structure. The applicant provided the information he received from the inspector and his concerns that it would cause interference with his neighbors. The applicant provided more information on the distance of placement from the front of the home and streets. Hammerness, there was no letter or public comment against the structure. Morita, mail is sent to the last owners and a publication to inform residents.

Public Hearing Closed at 6:47 pm

Action:

Rivera, made a motion to approve Resolution No. PC2022-05: Conditional Use Permit (CUP 22-04) to allow for an eighteen-foot accessory structure within a Residential Zone located at 253 W. Puerto Escondido Drive, Imperial, CA 92251, APN # 044-697-048. Mendoza second the motion.

Ayes: Hammerness, Mendoza, Rivera

Nays: None

Abstain: None

Absent: Harvey and Abatti

Motion passed 3-0

D-2: Subject: Public Hearing, Discussion/Action: Conditional Use Permit (CUP 22-03) to allow the onsite sale and consumption of alcoholic beverages and onsite live entertainment in an existing restaurant within the Neighborhood Commercial Zone located at 297 S. Imperial Avenue, APN #064-103-005.

Public Hearing Opened at 6:53 pm

Discussion:

Cordero, presented the staff report. The applicant, made a presentation to the commission with photos, along with information on the property and the business conducted at the location. Hammerness, wanted clarification on a previous applicant at the same property. Morita, informed Hammerness, that the prior applicant had not moved forward with the permit. Mendoza, wanted to know if there was going to be just beer and wine served. The applicant advised yes. Mendoza, wanted to know if the cooking smoke would affect the surrounding homes. The applicant advised that the way he cooks, the smoke is not an issue and gave information about the proposed cooking schedule. Mora advised that, to date, the business has had no complaints. Turner, asked if we had a letter submitted. Mehdipour, advised that a letter would be introduced by the staff shortly. Mendoza, asked if there was a noise level. Mora, no, there is only a city noise element. Hammerness, a break is needed due to information he received from Rivera. Rivera, stepped off to the side to speak to Turner. Tuner, there is a potential conflict with Rivera. Rivera, the property is owned by a member of his family. He does not receive any money or have any investment at the location but would like to remove himself due to the conflict.

Public Hearing Closed at 7:08 pm

Public Hearing Reopened at 7:13 pm

Action:

Rivera removed himself from the hearing. This created a lack of quorum and the hearing was adjourned due to a lack of quorum. For the record, Mehdipour stated in item D-2: Subject: Public Permit (CUP 22-03) will be continued until the next meeting of the Planning Commission, set for July 27, 2022 at 6:30 pm

F. REPORTS:

F-1: Commissioners Reports:

Rivera, inquired about the status of the splash pad.

Mendoza, wanted to know the status of the approved apartments.

Hammerness, wanted to know what was being built at the old ice plant.

F-2: Staff Reports

None

Chairman Hammerness continued the public hearing for (CUP 22-03) property located at 297 S. Imperial Avenue, APN #064-103-005 due to lack of quorum, and adjourned the Planning Commission meeting at 07:17pm until July 27th at 6:30 pm



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MINUTES

**PLANNING COMMISSION
TRAFFIC COMMISSION
REGULAR MEETING**

**200 West 9th Street
IMPERIAL, CA 92251**

**WEDNESDAY, JULY 27, 2022
6:30 PM**

A. PLANNING COMMISSION CALL TO ORDER:

The meeting was called to order at 6:37 PM by Chairperson Hammerness.

Roll Call:

Commissioners Present; Commissioner Abatti, Vice Chairperson Mendoza, and Chairperson Hammerness.

Commissioners Absent; Commissioner Harvey, and Commissioner Rivera.

City Staff Present; City Manager Morita, Assistant City Manager Brown, City Attorney Turner, Community Development Director Mora, Community Development Planner Cordero, Public Records Analyst Mehdipour, and Information Technology Support Technician Anguiano.

PLEDGE OF ALLEGIANCE:

Led by Chairperson Mark Hammerness

Adjustments to the Agenda:

Assistant City Manager Brown advised item **C-1** was pulled from the agenda.

B. PUBLIC APPEARANCES:

B-1. Matters not appearing on the agenda.

None

B-2. Matters appearing on the agenda.

None

C. CONSENT CALENDAR:

No Items

D. PLANNING COMMISSION NEW BUSINESS: (DISCUSSION/ACTION – RECOMMEND/DENY)

D-1: Subject: Continued Public Hearing, Discussion/Action: Conditional Use Permit (CUP 22-03) to allow the onsite sale and consumption of alcoholic beverages and onsite live entertainment in an existing restaurant within the Neighborhood Commercial Zone located at 297 S. Imperial Avenue, APN #064-103-005.

Public Hearing Opened/ Reopened for Continuation at 6:40 PM

Discussion:

An opposition letter received from resident Diane Johnson was read by Cordero. Letter addressed Ms. Johnsons concern of noise and limiting the alcoholic beverages sold. Mora; also read an email submitted by Diane Johnson in opposition received by the city. The email suggested planting trees and placing tall fencing around the property. The applicant was on site and explained his business intentions and provided pictures. Abatti; asked what types of music would be played at live events. The applicant; expressed an understanding for the concern about the noise level and the neighbors and he stated the music would be folk or acoustic-style music to allow patrons to enjoy the music, food, and conversation. Mendoza; expressed concerns for the neighbors` being exposed to the noise and asked what the applicant`s response was to the concerns and suggestions expressed by Diane Johnson. The applicant; stated that large fencing would be an eye sore for the neighboring homes and business, blocking business as well. Mendoza; wanted to know if the CUP has the stage location listed. Mora; advised it is not. Turner; section three of the CUP address the noise, and amendments can be inserted along with the stage placement. Mora; item nine references the stage, but no the location. Hammerness; I am not a fan of a business being dictated by another person on how many drinks can be sold to someone. Mendoza: I am not a fan of this either, you mentioned last time you only make so much food, once it`s gone that`s it, and you will be forced to shut down. I disagree with the alcohol sold if you`re only eating, some people want to go only for the entertainment. Abatti: this is going back to when we had Covid restrictions, places were serving popcorn and potato chips to stay open. I am not a fan of adding shackles, this is a control method. Hammerness: wanted to clarify concerns about where the stage is placed due to noise. Turner; advised ensuring the amendments the commission wants to enforce need to be added to the CUP. Mendoza; expressed concern that the noise decibels would no longer be in the multifamily zone (65 decibels).

Public Hearing Closed at 7:11 pm

Action:

Mendoza made a motion to approve Resolution No. PC2022-04: A Resolution of the Planning Commission approving Conditional Use Permit (CUP 22-03) for the onsite sale and consumption of alcoholic beverages and onsite live entertainment at Saltcedar BBQ located at 297 S. Imperial Avenue, APN#: 064-103-005. The project is categorically exempt from the California Environmental Quality Act (CEQA) under Section 15301 of the Guidelines-Existing Facilities. With the amendments to number 3 for noise levels not to exceed 65 decibels and number 9 for the stage to be placed on the north end of the building facing north. Abatti seconded the motion.

Ayes: Hammerness, Mendoza, Abatti

Nays: None

Abstain: None

Absent: Harvey and Rivera

Motion Passed 3-0

At 7:14 pm Chairperson Hammerness Called a Five-Minute Break

D-2: Subject: Public Hearing, Discussion/Action: Specific Plan Amendment, Planned Unit Development Zone Change, and Revision to the Victoria Ranch Tentative Tract Map for Unit 4B

Public Hearing Opened at 7:17 pm

Discussion:

Mora, presented the staff report. The applicants were present to answer any questions or concerns from staff or council. Mendoza, asked what is the reason for the changes in making the homes smaller. The applicant, responded that with the potential slowdown in housing due to higher interest rates and in order to keep the houses in the affordable range they found the Cambria Homes are successful and work well, and they are more affordable for people versus the previous planned homes that range \$500,000.00 to \$600,000.00. The applicant stated they have built 250 plus homes of the Cambria. Hammerness, asked where have homes been built on smaller lots similar to the proposal. Mora, On the staff report you will find an area map showing where these have been built. Applicant, we are finishing phase 13 and this will be our second Cambria product. Hammerness, what are the lot sizes, how are the driveways on this, what does the setback look like? Applicant; the lots are 32 something, we are asking for exactly what was in 6A. The drive way is 15-20ft from the property line. Mora; the property line is 5ft from the end of sidewalk. Applicant, so about 25ft. Hammerness, I notice these houses are two story housed what is the foot print? Applicant, 800 square feet roughly on the bottom in a L shape. Hammerness, I see 10 feet for the back yard or is that to the property line? Mora; the property line is the fence. Applicant, the yards are about 15, 20 or 25 ft depending on what lot the house goes on. Mendoza, the changes from A are you changing the houses and lot size? Applicant; same lot, same footprint, the only change is in the walls so it would grow about three inches. Everything else will remain the same. Mendoza, 4A, you

originally proposed bigger houses and now you want to build what you already are building. Applicant, confirmed that is correct. Hammerness, why not build a smaller cheaper house on a bigger piece of land? Applicant, I would have to charge a lot for the land. You can't build affordable houses on bigger lots. The bigger the street, curb and gutter, the price goes up. Hammerness, nothing about this is affordable housing. \$250,000.00 is a quarter of a million dollars, nothing is affordable, it is a joke. I look at these little lots to raise your family in these 15ft yards, it turns my stomach that we are doing this in the name of affordable housing. Abatti, the lots are smaller than Wildflower, but people want their own little castle, reality is money is losing value every day. People want to have something rather than nothing, even if it's a small yard to raise their kids. They got to make money in what they are doing in today's economy, and it is their judgment call if it is affordable. At least they will own some real-estate and can pay it off in 30 years. We need houses down here.

Public Hearing Closed at 7:43 pm

Action:

Mendoza made a motion to approve Resolution No. PC2022-06: A Resolution of the Planning Commission recommending the City Council approval of the Victoria Ranch Specific Plan, Planned Unit Development Zone Change & Subdivision Revision to the Victoria Ranch Unit 4B Tentative Trac Map, APN # 044-220-105. Mitigated Negative Declaration certified December 17, 2003. Abatti seconded the motion.

Ayes: Hammerness, Mendoza, Abatti

Nays: None

Abstain: None

Absent: Harvey and Rivera

Motion Passed 3-0

F. REPORTS:

F-1: Commissioners Reports

Hammerness:

Commented on the amount of noticeable homeless in the city area and the behaviors of some are perceived as aggressive.

Abatti:

Commented on how nice Aten rd. is looking.

F-2: Staff Reports

None

At 7:43 PM Chairperson Hammerness Adjourned the Planning commission Meeting Until the Next Regularly Scheduled Meeting August 10, 2022.