



PLANNING COMMISSION

Vacant –Chairperson

Ruben Rivera – Vice-Chairperson

Alice Abatti – Commissioner

Rebecca Terrazas-Baxter – Commissioner

Lisa Winkler-Commissioner

AGENDA

PLANNING COMMISSION

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

**WEDNESDAY, AUGUST 28, 2024
6:30 P.M.**

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. If you are unable to participate in-person, and wish to address the City Council on matters within their jurisdiction, please email public comments to cityclerk@citofimperial.org
3. All documents containing an executive summary and staff recommendation associated with open session action items are made available for public inspection on the City's website, www.cityofimperial.org seventy-two (72) hours prior to the posted meeting time. Government Code Section 54957.5(b)(2)(B).

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 CONVENES TO OPEN SESSION AT 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.

C. NEW BUSINESS: (DISCUSSION/ACTION –RECOMMEND/DENY)

C-1: Administration of Oath of Office for newly appointed Planning Commissioner, Francisco Curiel.

C-2: Appoint Planning Commission Chairperson

D. CONSENT CALENDAR

D-1: Approve Planning Commission Meeting Minutes for November 8, 2023.

D-2: Approve Planning Commission Meeting Minutes for February 28, 2024.

D-3: Approve Planning Commission Meeting Minutes for June 26, 2024.

D-4: Approve Planning Commission Meeting Minutes for July 24, 2024.

E. PUBLIC HEARING: (DISCUSSION/ACTION – RECOMMEND/DENY)

E-1. Subject: Public Hearing, Discussion/Action: Conditional Use Permit 24-07 for Aten Express to allow the off-sale of beer and wine under a type 20 ABC license at 390 W. Aten Road. The project is categorically exempt from the California Environmental Quality Act (CEQA) under Section 15061 (b)(3) Common Sense and Section 15301, Existing Facilities.

- 1. Public Hearing**
- 2. Staff Report – Public Comment**
- 3. Commission Discussion**
- 4. Close Public Hearing**
- 5. Recommended Action:** Approve/Deny Resolution No. PC2024-07: A RESOLUTION OF THE PLANNING COMMISSION, OF THE CITY OF IMPERIAL RECOMMENDING APPROVAL OF CONDITIONAL USE PERMIT 24-07 TO ALLOW THE OFF-SALE ALCOHOLIC BEVERAGE SALES AT ATEN EXPRESS LOCATED AT 390 E. ATEN ROAD (APN 044-601-013).

F. TRAFFIC COMMISSION NEW BUSINESS: (DISCUSSION/ACTION-RECOMMEND/DENY):

F-1: City Hall Parking Lot Improvements

F-2: Split Phase Highway 86 and 15th Street

G. REPORTS

G-1: Commissioners' Reports

G-2 Staff Reports

H. ADJOURNMENT

H-1. Subject: Adjourn the Planning Commission meeting until the next regularly scheduled meeting on September 11, 2024 at 6:30pm.

NOTE: Any documents produced by the City and distributed to a majority of the Planning and Traffic 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.



PLANNING COMMISSION
Veronica Harvey – Chairperson
Ruben Rivera – Vice Chairperson
Alice Abatti – Commissioner
Rebecca Terrazas-Baxter – Commissioner
Lisa Winkler-Commissioner

MINUTES

PLANNING COMMISSION
TRAFFIC COMMISSION

220 West 9th Street
IMPERIAL, CA 92251

WEDNESDAY, NOVEMBER 8, 2023
6:30 P.M.

A. PLANNING COMMISSION CONVENES TO OPEN SESSION AT 6:30 PM:

CALLED TO ORDER: Vice Chairperson Rivera called the meeting to order at 6:31 p.m.

ROLL CALL: Commissioner Abatti, Terrazas-Baxter, Winkler and Vice Chairperson Rivera

ABSENT: Chairperson Harvey

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was let by Lisa Winkler.

ADJUSTMENTS TO THE AGENDA: None

B. PUBLIC APPEARANCES

B-1. Matters not appearing on the agenda.
None

C. CONSENT CALENDAR

C-1. Approve Planning Commission Meeting Minutes for October 25, 2023.

Moved by Terrazas-Baxter, Seconded by Abatti to approve minutes for October 25, 2023.

AYES: Abatti, Terrazas-Baxter and Rivera

NOES: None

ABSTAIN: Winkler

ABSENT: Harvey

MOTION CARRIES: 3-0-1

D. PUBLIC HEARING: (DISCUSSION/ACTION-RECOMMEND/DENY):

D-1: Subject: Public Hearing, Discussion/Action: Recommend approval of Variance 23-03 for Chris Peto, to allow the deviation of Section 24.16 of the Municipal Code Pertaining to Sign Regulations for Commercial Zones at 830 N. Imperial Avenue (APN 063-040-035).

The public hearing was opened at 6:38 p.m.

The staff report was presented by Yvonne Cordero, City Planner.

The public hearing was closed at 6:46 p.m.

Moved by Winkler, Seconded by Terrazas-Baxter to approve Resolution No. PC2023-11 and Variance 23-03.

AYES: Abatti, Terrazas-Baxter, Winkler and Rivera

NOES: None

ABSTAIN: None

ABSENT: Harvey

MOTION CARRIES: 4-0

E. REPORTS:

E-1: Commissioners reported on their activities and concerns since last planning commission meeting.

E-2: Staff Reported on their activities and upcoming activates since last planning commission meeting.

F. ADJOURNMENT

Seeing no further business before the commission, Vice Chairperson Rivera adjourned the meeting at 6:50 p.m.

IN WITNESS WHEREOF, I have hereunto set my hand ad affixed the official seal of the City of Imperial, California this ____ day of August, 2024.

KRISTINA SHIELDS
City Clerk



PLANNING COMMISSION
Veronica Harvey – Chairperson
Ruben Rivera – Vice Chairperson
Alice Abatti – Commissioner
Rebecca Terrazas-Baxter – Commissioner
Lisa Winkler-Commissioner

MINUTES

PLANNING COMMISSION
TRAFFIC COMMISSION

220 West 9th Street
IMPERIAL, CA 92251

WEDNESDAY, FEBRUARY 28, 2024
6:30 P.M.

A. PLANNING COMMISSION CONVENES TO OPEN SESSION AT 6:30 PM:

CALLED TO ORDER: Chairperson Harvey called the meeting to order at 6:35 p.m.

ROLL CALL: Commissioner Terrazas-Baxter, Winkler and Chairperson Harvey

ABSENT: Commissioner Abatti and Vice Chairperson Rivera

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Veronica Harvey.

ADJUSTMENTS TO THE AGENDA: None

B. PUBLIC APPEARANCES:

B-1. Matters not appearing on the agenda.
None

C. CONSENT CALENDAR:

C-1. Approve Planning Commission meeting minutes for December 13, 2023.

Moved by Winkler, Seconded by Terrazas-Baxter to approve PC Meeting Minutes for December 27, 2023.

AYES: Terrazas-Baxter, Winkler and Harvey

NOES: None

ABSTAIN: None

ABSENT: Abatti and Rivera

MOTION CARRIES: 3-0

D. PUBLIC HEARING: (DISCUSSION/ACTION-RECOMMEND/DENY):

D-1: Subject: Public Hearing, Discussion/Action: Recommend approval of Conditional Use Permit 24-03 for Wesley Boerner, for the installation of a fourteen-foot accessory structure within a Residential Zone located at 685 W. Worthington Road (APN 064-012-001).

The public hearing was opened at 6:38 p.m.

The staff report was presented by Yvonne Cordero, City Planner.

The public hearing was closed at 6:40 p.m.

Moved by Terrazas-Baxter, seconded by Winkler to approve Resolution No. PC2024-02 and Conditional Use Permit 24-03.

AYES: Terrazas-Baxter, Winkler and Harvey

NOES: None

ABSTAIN: None

ABSENT: Abatti and Rivera

MOTION CARRIES: 3-0

Chairperson Harvey adjourned the Planning Commission Meeting at 6:41 p.m. and Opened the Traffic Commission Meeting at 6:42 p.m.

E. TRAFFIC COMMISSION NEW BUSINESS: (DISCUSSION/ACTION-RECOMMEND/DENY):

E-1: Discussion/Action: Removal of Red Curbs Dedicated to the Former Bus Stations on East Barioni Boulevard Between K Street and L Street.

Moved by Terrazas-Baxter, seconded by Winkler to approve Removal of Red Curbs Dedicated to the Former Bus Stations on East Barioni Boulevard Between K Street and L Street.

AYES: Terrazas-Baxter, Winkler and Harvey

NOES: None

ABSTAIN: None

ABSENT: Abatti and Rivera

MOTION CARRIES: 3-0

F. REPORTS:

F-1: Commissioners reported on their activities and concerns since last planning commission meeting.

F-2 Staff reported on upcoming activities since last planning commission meeting.

G. ADJOURNMENT:

Seeing no further business before the commission, Chairperson Harvey adjourned the meeting at 6:54 p.m.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Imperial, California, this ____ day of August, 2024.

KRISTINA SHIELDS
City Clerk



PLANNING COMMISSION
Veronica Harvey – Chairperson
Ruben Rivera – Vice Chairperson
Alice Abatti – Commissioner
Rebecca Terrazas-Baxter – Commissioner
Lisa Winkler-Commissioner

MINUTES

PLANNING COMMISSION

220 West 9th Street
IMPERIAL, CA 92251

WEDNESDAY, JUNE 26, 2024
6:30 P.M.

A. PLANNING COMMISSION CONVENES TO OPEN SESSION AT 6:30 PM:

CALLED TO ORDER: Chairperson Harvey called the meeting to order at 6:42 p.m.

ROLL CALL: Commissioner Abatti, Vice Chairperson Rivera and Chairperson Harvey

ABSENT: Commissioner Terrazas-Baxter and Winkler

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Ruben Rivera.

ADJUSTMENTS TO THE AGENDA:

City Manager Dennis H. Morita stated that C-1 Special Presentation will be moved to a future meeting.

B. PUBLIC APPEARANCES

B-1. Matters not appearing on the agenda.
None

C. SPECIAL PRESENTATION:

C-1 Recognition of service to former Planning Commissioner, Mark Hammerness.

Presentation was moved to a future meeting.

D. CONSENT CALENDAR:

D-1. Approve Planning Commission Meeting Minutes for March 27, 2024

Moved by Harvey, Seconded by Abatti to approve PC meeting minutes for March 27, 2024.

AYES: Abatti, Rivera and Harvey

NOES: None

ABSTAIN: None
ABSENT: Terrazas-Baxter and Winkler
MOTION CARRIES: 3-0

D-2. Approve Planning Commission Meeting Minutes for June 12, 2024

Moved by Rivera, seconded by Harvey to approve PC meeting minutes for June 12, 2024.

AYES: Rivera and Harvey
NOES: None
ABSTAIN: Abatti
ABSENT: Terrazas-Baxter and Winkler
MOTION CARRIES: 2-0-1

E. PUBLIC HEARING: (DISCUSSION/ACTION – RECOMMEND/DENY)

E-1: Subject: Continued Public Hearing, Discussion/Action: Variance 23-04 and Conditional Use Permit 23-07 for Mark Gaddis to allow the deviation of the Residential Zone Property Development Standards for maximum height and setback requirements for an accessory structure located at 121 North F Street (APN 064-042-0001). The project is categorically exempt from the California Environmental Quality Act (CEQA) under Section 15301, Existing Facilities.

The public hearing was continued from June 12, 2024.

The staff report was presented by Yvonne Cordero, City Planner.

The public hearing was closed at 7:59 p.m.

This public hearing is being continued from June 12, 2024. Since last meeting on June 12th Community Development has asked for a representative from the IID and Mr. Gaddis to be present for today's public hearing. Mr. Gaddis was contacted via email thru his office and confirmed today's meeting. Within 5 minutes of the meeting Mr. Gaddis responded via text that he got the meeting date wrong and he was going to try and join via Zoom. Mr. Gaddis has issues with Zoom so he joined via phone. The IID had several representatives present. Mr. Rodriguez, Deputy Energy Manager for the IID provided information to Mr. Gaddis and Community Development in regard to the Variance 23-24. The IID has offered to reroute the power lines if Mr. Gaddis is willing to pay for the cost of the job. The estimate from the IID is only good for six months. Mr. Gaddis has stated that he will need up to a year to recover some money to pay for the rerouting of the power lines but has not signed any contract with the IID. The commissioners have decided that they cannot keep extending this public hearing. Commissioners have asked Mr. Gaddis to take care of the issue with IID and then come back to Planning Commission and ask for this Variance.

Moved by Rivera, Seconded by Abatti to deny Resolution No. PC 2024-01 and Variance 23-04.

AYES: Abatti, Rivera and Harvey
NOES: None
ABSTAIN: None
ABSENT: Terrazas-Baxter and Winkler
MOTION CARRIES: 3-0

F. REPORTS:

F-1: Commissioners reported on their activities and concerns since last planning commission meeting.

F-2 Staff reported on upcoming activities since last planning commission meeting.

G. ADJOURNMENT:

Seeing no further business before the commission, Chairperson Harvey adjourned the meeting at 8:07 p.m.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Imperial, California this ____ day of August, 2024.

KRISTINA SHIELDS
City Clerk



PLANNING COMMISSION
Veronica Harvey – Chairperson
Ruben Rivera – Vice Chairperson
Alice Abatti – Commissioner
Rebecca Terrazas-Baxter – Commissioner
Lisa Winkler-Commissioner

MINUTES

PLANNING COMMISSION

220 West 9th Street
IMPERIAL, CA 92251

WEDNESDAY, JULY 24, 2024
6:30 P.M.

A. PLANNING COMMISSION CONVENES TO OPEN SESSION AT 6:30 PM:

CALLED TO ORDER: Chairperson Harvey called the meeting to order at 6:34 p.m.

ROLL CALL: Commissioner Winkler, Vice Chairperson Rivera and Chairperson Harvey
Commissioner Abatti arrived at 6:40 p.m.

ABSENT: Commissioner Terrazas-Baxter

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Veronica Harvey.

ADJUSTMENTS TO THE AGENDA: None

B. PUBLIC APPEARANCES

B-1. Matters not appearing on the agenda.
None

C. PUBLIC HEARING: (DISCUSSION/ACTION-RECOMMEND/DENY)

C-1. Subject: Public Hearing, Discussion/Action: Mobile Food Facilities Ordinance and Amendment of Section 24.11.120 of the Imperial Zoning Ordinance. The project is categorically exempt from the California Environmental Quality Act (CEQA) under Section 15268 for Ministerial Projects.

The public hearing was opened at 6:34 p.m.

The staff report was presented by Yvonne Cordero, City Planner.

The public hearing was closed at 8:06 p.m.

Antonio from Antonio's Baja Catch and Albert from El Unico Hotdogs were present to address concerns they had regarding the ordinance on food trucks for the City of Imperial. Planning Commissioners answered their concerns and made recommendations to the City Council.

Moved by Abatti, seconded by Winkler to approve Resolution No. PC2024-06 and recommend council to approve time to 8 hours, one-time processing fee of \$431 if their business license is kept up year after year, allowing road base verses pavement and can park on a public right-of-way.

AYES: Abatti, Winkler, Rivera and Harvey

NOES: None

ABSTAIN: None

ABSENT: Terrazas-Baxter

MOTION CARRIES: 4-0

D. REPORTS:

D-1: Commissioners reported on their activities and concerns since last planning commission meeting.

D-2 Staff thanked Chairperson Harvey for all her time on planning commission and wished her the best on her next chapter.

E. ADJOURNMENT:

Seeing no further business before the Commission, Chairperson Harvey adjourned the meeting at 8:17 p.m.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the city of Imperial, California, this ____ day of August, 2024.

KRISTINA SHIELDS
City Clerk



Staff Report

Agenda Item No. E-1

To: City of Imperial Planning Commission

From: Yvonne Cordero, Planner

Date: August 22, 2024

Applicant:	Raj Kakkar
Project Location:	390 W. Aten Road
Project Description:	Conditional Use Permit 24-07 to allow the sale of alcohol
Zoning:	General Commercial (C-2)
Environmental:	Categorically Exempt
Recommendation:	Approve, subject to Conditions of Approval

Background

Raj Kakkar, the new owner of Aten Express, has recently submitted an application for a Type 20 Alcoholic Beverage License to the State Department of Alcoholic Beverage Control (ABC), as detailed in Attachment A. A Type 20 license specifically authorizes the sale of beer and wine for off-premises consumption, meaning customers can purchase these beverages at the convenience store but must consume them elsewhere. The store, located at 390 W. Aten Road, is situated within the C-2 (General Commercial) zone, where such sales are permitted under certain conditions.

When Mr. Kakkar acquired Aten Express, the purchase did not include the necessary licensing for alcohol sales, which has posed significant financial challenges for the business. The inability to sell beer and wine, which are key revenue drivers for many convenience stores, has likely impacted the store's profitability, placing it at a disadvantage compared to competitors who are fully licensed. To address this issue and restore the store's full-service offerings, Mr. Kakkar is seeking to obtain the appropriate licensing that will allow him to sell beer and wine legally.

In the C-2 zone, the sale of beer and wine is permissible with the approval of a Conditional Use Permit (CUP) and the acquisition of a valid ABC license. The CUP is a critical step in this process,

as it ensures that the proposed use aligns with the zoning regulations and considers the potential impacts on the surrounding community. The City is responsible for reviewing and approving the CUP, which must be obtained before the ABC can issue the final license. Once the CUP is granted by the City, ABC will then proceed with the final steps in the licensing process, which includes a thorough review to ensure compliance with state regulations and community standards.

It is important to note that the existing hours of operation for Aten Express, which are 6 a.m. to 6 a.m. (open 24 hours), are expected to remain unchanged. The extended hours of operation provide convenience to the community and are a key factor in the store's business model. However, with the introduction of alcohol sales, Mr. Kakkar will need to ensure that all activities related to the sale of beer and wine are conducted in a responsible manner, in compliance with both state laws and the conditions set forth in the CUP. Additionally, the sale of alcohol will only be allowed from 6 a.m. to 2 a.m., in accordance with ABC regulations.

The Development Review Committee (DRC) has conducted a thorough and careful review of the application submitted by Mr. Kakkar. In this review, the DRC has worked closely with the Imperial Police Department to evaluate the potential impact of alcohol sales at the proposed establishment. The Police Department has provided a set of recommendations to ensure that alcohol sales are managed responsibly and in full compliance with applicable laws and regulations. These recommendations are aimed at promoting a safe environment for the community while minimizing any risks associated with the sale of alcohol.

Regular Training on Responsible Alcohol Sales:

One of the primary recommendations from the Imperial Police Department is the implementation of regular training sessions for all employees involved in the sale of alcohol. This training should be comprehensive, covering crucial aspects such as recognizing the signs of intoxication, understanding how to refuse service to individuals who appear to be under the influence, and knowing the correct procedures for verifying the age of customers. The training should also emphasize the importance of adhering to legal requirements, including the consequences of failing to do so. By equipping employees with the necessary knowledge and skills, the establishment can better prevent incidents that may arise from irresponsible alcohol sales.

Understanding Legal Ramifications:

It is essential that all employees are fully aware of the serious legal ramifications associated with the sale of alcohol, particularly concerning minors. The Police Department emphasizes the importance of educating staff on the specific legal penalties that can result from selling alcohol to underage individuals, including potential fines, criminal charges, and the possible revocation of the establishment's liquor license. This education should be part of the regular training program and include real-world scenarios to help employees understand the gravity of these legal obligations. By ensuring that employees are well-informed and vigilant, the establishment can significantly reduce the risk of legal issues and contribute to a safer community. These measures will help maintain high service standards and reinforce the importance of responsible alcohol sales.

By implementing these recommendations, Mr. Kakkar's establishment will not only comply with legal requirements but also demonstrate a strong commitment to community well-being. The DRC and the Imperial Police Department believe that these steps are crucial in promoting a safe environment where alcohol is sold responsibly and legally, thereby protecting both the

establishment and the broader community from the negative consequences of improper alcohol sales. The recommendations were incorporated into the Conditions of Approval provided in Resolution PC2024-07 (Attachment B).

In summary, the approval of the Type 20 license is essential for Mr. Kakkar to enhance the offerings of Aten Express and address the financial difficulties that have arisen due to the lack of alcohol sales. The process involves close coordination between the City and the ABC, with the Conditional Use Permit serving as a pivotal step in ensuring that the sale of beer and wine at Aten Express is consistent with local zoning laws and community expectations. Once these approvals are in place, Mr. Kakkar will be positioned to provide a more comprehensive service to his customers while contributing to the economic vitality of the area.

Project Location



Discussion/Analysis

The subject site is zoned within the General Commercial Zone (C-2). The surrounding designated land uses and zoning to the North, South and East of the project site are General Commercial (C-2) as well. Imperial County Airport located to the West, crossing Highway 86 is zoned General Industrial (I-1).

Environmental Compliance

The operation of an existing private structure involving negligible or no expansion of the existing or former use categorizes this project to be categorically exempt from the California Environmental Quality Act (CEQA) under Section 15301-Existing Facilities. An additional categorical exemption applies to this project under Section 15061(b)(3) because it can be seen as a common-sense determination that the sale of alcohol is not expected to cause any significant impact on the environment, as it typically involves an existing establishment where the operational nature remains largely unchanged.

Evaluation

The Zoning Ordinance provides flexibility in the regulation of uses to ensure that unusual characteristics of certain uses are properly addressed in furtherance of the Imperial Zoning Ordinance. Section 24.19.340 of the City of Imperial Zoning Ordinance requires that the Commission make specific findings be made when reviewing a Conditional Use Permit. The required findings are listed below in ***bold italics***, followed by an evaluation:

1. ***That the proposed location, size, design, and operating characteristics of the proposed use is in accord with the Title and Purpose of this Ordinance, the purpose of the zone in which the site is located, the Imperial General Plan, and the development policies and standard of the City.***

The subject site is within the General Commercial (C-2) Zone, designated for highway-oriented retail and service activities. Aten Express aligns with this zoning by providing essential services like fuel, food, and refreshments for motorists and residents. Its design and operations support the goals of the Imperial General Plan, ensuring safe vehicle access, reducing congestion, and maintaining an orderly appearance. Aten Express complies with local regulations and city ordinances, contributing to the economic vitality of the City. Its continued operation, including alcohol sales, remains consistent with the objectives of the General Commercial (C-2) Zone and the City's development goals.

2. ***That the location, size, design, and operating characteristics of the proposed use will be compatible with and will not adversely affect or be materially detrimental to adjacent uses, residents, buildings, structures, or natural resources with consideration given to those items listed in Section 24.19.340.B of the Imperial Zoning Ordinance.***

The location is ideal for a convenience store, offering patrons a quick and convenient stop for gas and refreshments as they travel along one of the City's main corridors. The site's strategic placement along a well-trafficked route makes it a suitable location for retail services, including the sale of alcohol. Aten Express has been selling alcohol for many years prior to Mr. Kakkar's acquisition, without any recorded incidents of adverse effects or material detriment to adjacent land uses, residents, buildings, structures, or natural

resources. Additionally, the store has maintained a good track record of compliance with local regulations and standards concerning alcohol sales. The established operating characteristics, including responsible alcohol sales practices and ongoing staff training, further ensure that the proposed use remains compatible with the surrounding area. Given these factors, the continuation of alcohol sales at this location will not negatively impact the community or environment and is consistent with the objectives outlined in Section 24.19.340.B of the Imperial Zoning Ordinance.

3. ***That the proposed location, size, design, and operating characteristics of the proposed use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.***

With the established Conditions of Approval, the proposed project will not negatively impact public health, safety, or welfare. Aten Express has a proven record of responsible operation, and Mr. Kakkar is committed to continuing this standard. He will implement staff training focused on responsible alcohol sales, addressing the concerns of the Imperial Police Department.

The store's existing security measures, such as surveillance cameras and proper lighting, further ensure a safe environment. By adhering to these conditions and maintaining responsible practices, Aten Express will operate safely and harmoniously within the community, without causing harm to neighboring properties or the public.

4. ***That the proposed Conditional Use will comply with each of the applicable provisions of the Zoning Ordinance, except for any approved Variance.***

The proposed project, which includes the sale of alcohol, complies with all applicable provisions of the City of Imperial's Zoning Ordinance. Aten Express is located in a General Commercial (C-2) Zone, where alcohol sales are permitted as a conditional use. There are no variances requested or required for this project, and all zoning regulations and requirements, including those related to signage, parking, and hours of operation, will be fully adhered to. By meeting these conditions, the project ensures alignment with the City's zoning standards and regulations.

Public Notification

The public hearing scheduled for August 28, 2024, was duly noticed in the Holtville Tribune and Calexico Chronicle, newspapers of general circulation, on August 15, 2024. A Notice of Public Hearing was mailed to all property owners within 300 feet of the property. The City of Imperial has not received any public comments for or against this project as of the date of this report's publication.

Recommendation

Staff recommends the Planning Commission conduct a public hearing to receive comments for and against the project. Unless sufficient evidence to the contrary is presented at the public hearing, Staff recommends that the Planning Commission approve Conditional Use Permit 24-04 to allow the sale of off premise alcohol sales at Aten Express.

Attachments

- Attachment A – ABC Application with Site Plan
- Attachment B – DRAFT Resolution PC2024-07 with Conditions of Approval

Prepared by: Yvonne Cordero, Planner

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Othon Mora', enclosed within a blue oval shape.

Othon Mora, MCM, CBO
Community Development Director

LICENSED PREMISES DIAGRAM (RETAIL)

RECEIVED

MAY 18 2024

Dept. of Alcoholic Beverage Control
Palm Desert

1. APPLICANT'S NAME(S) (If an individual, last name, first name, middle name. Name of entity if corporation, limited partnership or limited liability company.) 2. LICENSE TYPE

Aten Express

20

3. PREMISES ADDRESS (Street number and name, city, zip code)

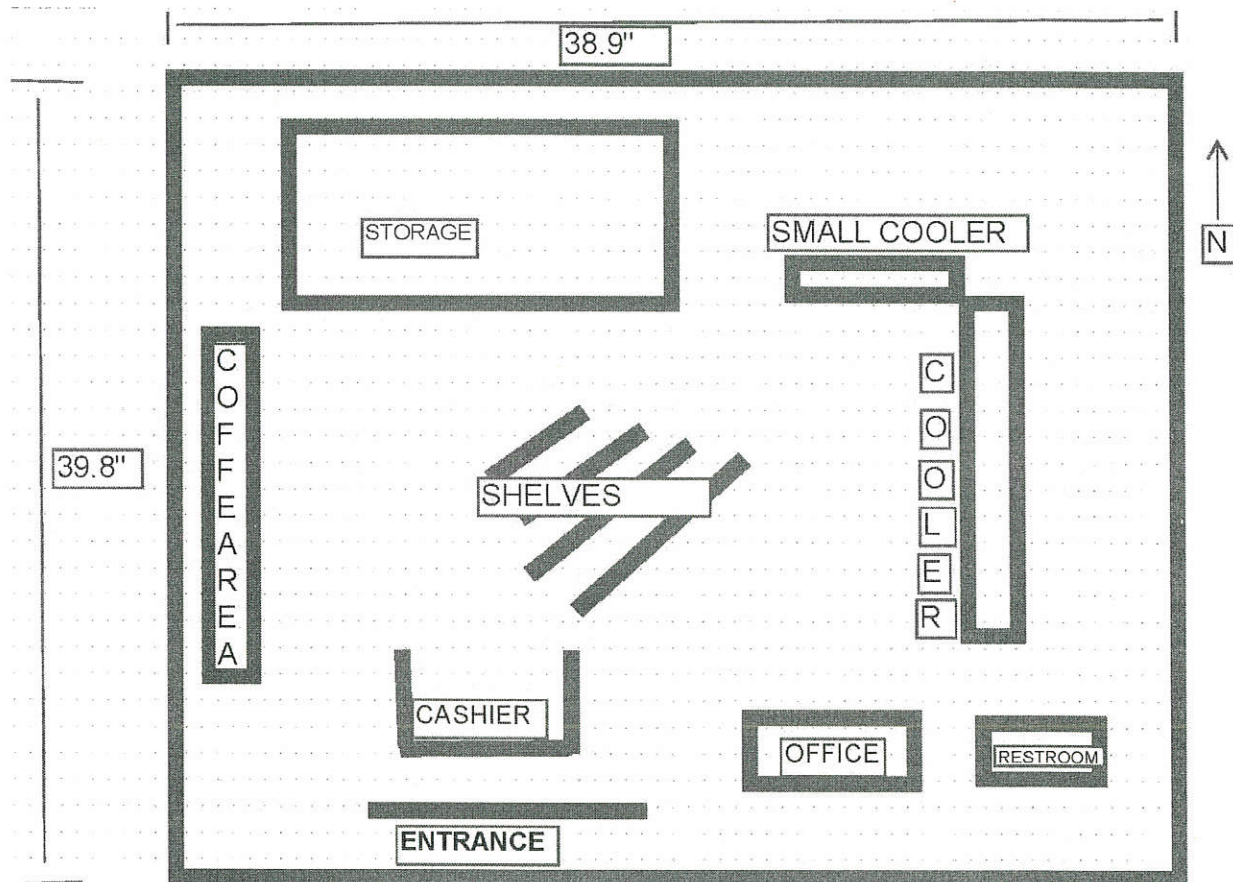
390 W. Aten Rd, IMPERIAL, CA 92251

4. NEAREST CROSS STREET

Imperial Avenue

The diagram below is a true and correct description of the entrances, exits, interior walls and exterior boundaries of the premises to be licensed, including dimensions and identification of each room (i.e., "storeroom", "office", etc.). The area to be licensed must be outlined in red.

DIAGRAM



It is hereby declared that the above-described premises and character of premises, as indicated on the reverse side, will not be changed in accordance with Rule 64.2 of the California Code of Regulations without first notifying and securing approval of the Department of Alcoholic Beverage Control. Substantial changes to the premises may require an application fee in accordance with Section 24072 of the Business and Professions Code. I declare under penalty of perjury that the foregoing is true and correct.

APPLICANT SIGNATURE (Only one signature required)

X

DATE SIGNED

4/30/24

FOR ABC USE ONLY

CERTIFIED CORRECT (Signature)

PRINTED NAME

INSPECTION DATE

PLANNED OPERATION (RETAIL)

SECTION I - FOR ALL RETAIL APPLICANTS

1. APPLICANT'S NAME(S) If an individual, last name, first name, middle name. Name of entity if corporation, limited partnership or limited liability company.

Aten Express

2. LICENSE TYPE(S)

20

3. PREMISES ADDRESS (Street number and name, city, zip code)

390 W. Aten Rd, IMPERIAL, CA 92251

4. NEAREST CROSS STREET

Imperial Avenue

5. TYPE OF BUSINESS (Choose one that best describes the planned operation)

- | | | | |
|---|--|---|--|
| ☐ Full Service Restaurant | ☐ Cafeteria/Hofbrau | ☐ Cocktail Lounge | ☐ Private Club |
| ☐ Deli or Specialty Restaurant | ☐ Comedy Club | ☐ Night Club | ☐ Veterans Club |
| ☐ Cafe/Coffee Shop | ☐ Brew Pub | ☐ Tavern | ☐ Fraternal Club |
| ☐ Bed & Breakfast | ☐ Theater | ☐ Wine Tasting Room | |
| <hr/> | | | |
| ☐ Supermarket | ☐ Membership Store | ☐ Service Station | ☐ Swap Meet/Flea Market |
| ☐ Liquor Store | ☐ Department Store | ☐ Convenience Market | ☐ Drive-in Dairy |
| ☐ Variety/Drug Store | ☐ Gift Shop/Florist | ☒ Convenience Market w/Gasoline | |
| ☐ Other - describe: _____ | | | |

6. FOOD SERVICE

- ☐
- None
- ☐
- Minimal
- ☐
- Full Meals

7. MEAL TYPE

- ☐
- Dinner House
- ☐
- Seafood
- ☐
- Fast Food/Deli
- ☐
- Pizza/Pasta
- ☐
- Other: _____

8. TYPE OF FOOD

- ☐
- American
- ☐
- Chinese
- ☐
- French
- ☐
- Greek
- ☐
- Indian
- ☐
- Italian
- ☐
- Japanese
- ☐
- Korean
- ☐
- Mexican
- ☐
- Thai
- ☐
- Other: _____

9. HOURS OF FOOD SERVICE:

BREAKFAST HOURS - From: _____ To: _____ LUNCH HOURS - From: _____ To: _____ DINNER HOURS - From: _____ To: _____

10. OPERATING HOURS:

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Opening Time	6am	6am	6am	6am	6am	6am	6am
Closing Time	6am	6am	6am	6am	6am	6am	6am

11. ENTERTAINMENT: (One or more may apply. Please describe any entertainment with an asterisk (*) below)

- | | | | |
|---|--|---|--|
| ☐ None | ☐ *Amplified Music | ☐ Patron Dancing | ☐ Card Room |
| ☐ Recorded Music | ☐ *Live Entertainment | ☐ Bikini/Topless/Exotic | ☐ Movies |
| ☐ Juke Box | ☐ *Floor/Stage Shows | ☐ Pool/Billiard Tables | ☐ "Hot Spot"/Lottery |
| ☐ *Other | ☐ Karaoke | ☐ *Amateur/Pro Sports Events | ☐ Video/Coin-Operated Games |

*Description: _____

12. YES OR NO QUESTIONS:

- a) Will you hire a manager? (Rule 57.5) ☐ Yes ☒ No
- b) Will you have a food lessee? (Rule 57.7) ☐ Yes ☒ No
- c) Do you intend to sell cocktails or servings of wine to go?..... ☐ Yes ☒ No
- d) Does your business have a pass-through window? ☐ Yes ☒ No
- e) Does your business have any fixed bars?..... ☐ Yes ☒ No
- i) If yes, how many? _____
- f) Does your business have a patio?..... ☐ Yes ☒ No
- g) Will you share a common licensed area with another licensee?..... ☐ Yes ☒ No
- h) Does the premises have a parking lot?..... ☒ Yes ☐ No
- i) If yes, is it shared with other business?..... ☒ Yes ☐ No

13. What percentage of your total sales will be from alcoholic beverages?

40%

14. Patron

Capacity 40

15. PREMISES IS LOCATED ON:

- ☒
- Major Thoroughfare
- ☐
- Secondary Street
- ☐
- Other: _____

16. PREMISES LOCATED IN:

- ☒
- Free Standing Building
-
- ☐
- Shopping Center (name): _____
-
- ☐
- 10 Units or Less
- ☐
- More than 10 Units

17. SURROUNDING AREA:

- ☒
- Commercial
- ☐
- Industrial
- ☐
- Residential
-
- ☒
- Rural
- ☐
- Other: _____

18. TYPE OF STRUCTURE:

- ☒
- Single Story
- ☐
- Two-Story
-
- ☐
- Multi-Story - Number of Stories: _____

FOR ABC USE ONLY

INFORMATION GIVEN (R-27, R-107, Sec. 25612.5, Sec. 23790.5, etc.)

SUPPLEMENTAL DIAGRAM

Instructions to Applicant:

Draw a sketch of the area on which the licensed premises is or will be located. Show adjacent structures and nearest cross streets. *If this is an event for a daily license, catering authorization, event authorization or miscellaneous use, show the area where sales and consumption of alcoholic beverages will occur. Post a copy of this diagram with Daily License, Catering Authorization or Event Authorization where the event is held. Sales and consumption of alcoholic beverages must be confined to the area designated in the diagram and supervised to prevent violations of the Alcoholic Beverage Control Act.*

1. APPLICANT NAME (Last, first, middle)

Aten Express

3. PREMISES ADDRESS (Street number and name, city, zip code)

390 W. Aten Rd, IMPERIAL, CA 92251

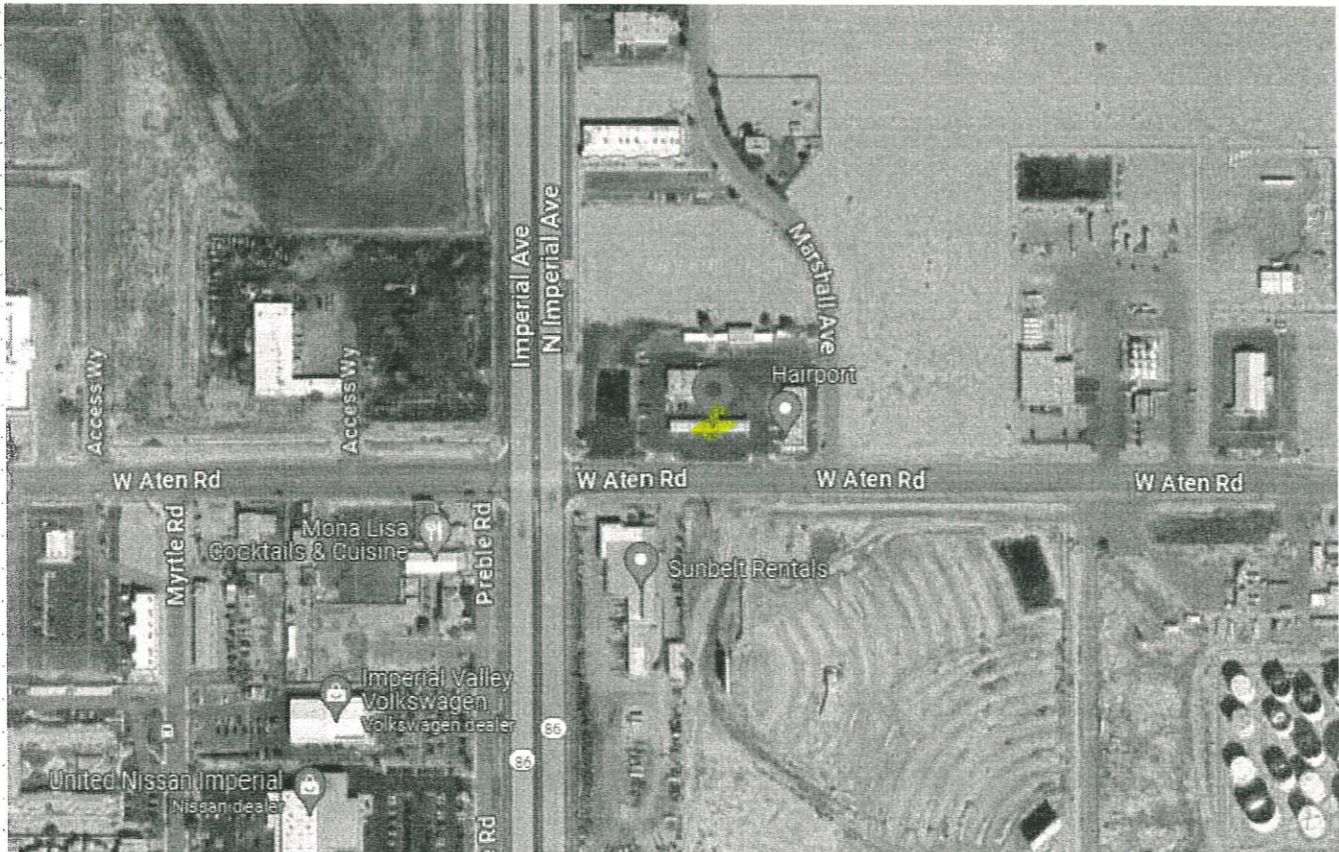
2. LICENSE TYPE

20

4. NEAREST CROSS STREET

Imperial Avenue

DIAGRAM



I have read the above instructions and I declare under penalty of perjury that the above diagram is true and correct.

APPLICANT SIGNATURE

X

Rb

DATE SIGNED

4/30/24

FOR ABC USE ONLY

CERTIFIED CORRECT (Signature)

PRINTED NAME

INSPECTION DATE

***DRAFT* RESOLUTION NO. PC2024-07**

**A RESOLUTION OF THE PLANNING COMMISSION, OF THE CITY OF IMPERIAL,
APPROVING A CONDITIONAL USE PERMIT 24-07 TO ALLOW OFF-SALE
ALCOHOLIC BEVERAGE SALES AT ATEN EXPRESS LOCATED AT
390 E. ATEN ROAD (APN 044-601-013)**

WHEREAS, Raj Kakkar submitted an application to allow off-sale alcoholic beverage sales at Aten Express located at 390 E. Aten Road; and

WHEREAS, the subject site is located within the General Commercial (C-2) Zone where a store offering alcoholic beverages are conditionally allowed uses within that zone; and

WHEREAS, a duly notified public hearing was published on August 15, 2024 in a local paper of general circulation, indicating the date and time of the public hearing in compliance with state law concerning Conditional Use Permit 24-04, and said notice was mailed to each property owner within a 300-foot radius of the project site; and

WHEREAS, a duly notified public hearing was held by the Planning Commission on August 28, 2024, to hear testimony for and against the proposed Conditional Use Permit;

WHEREAS, upon hearing and considering all testimony and arguments, analyzing the information submitted by staff and considering any written and oral comments received, the Planning Commission considered all facts relating to the project; and

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Imperial as follows:

- A) That the foregoing recitations are true and correct; and
- B) The project has been reviewed in accordance with the requirements set forth by the City of Imperial for implementation of the California Environmental Quality Act; and
- C) There are no sensitive resources located within the area of the project or adjacent to the area of the project so as to be significantly impacted by the project; and
- D) That based on the evidence presented at the public hearing, the Planning Commission hereby determines that the project is categorically exempt under Section 15061 (b)(3) Common Sense and Section 15301, Existing Facilities, of the California Environmental Quality Act and is exempt from further environmental review requirements; and
- E) That allowing the sales of off-sale alcoholic beverages at the project site is consistent with the land uses allowed within the General Commercial (C-2) Zone; and

F) That based on the evidence presented at the public hearing, the Planning Commission hereby **APPROVES Conditional Use Permit 24-07**, subject to the requirements per section 24.19.340 of the Imperial Zoning Ordinance, the Conditions of Approval outlined in Exhibit A, and based on the following findings:

1. That the proposed location, size, design, and operating characteristics of the proposed use is in accord with the Title and Purpose of this Ordinance, the Purpose of the zone in which the site is located, the Imperial General Plan, and the development policies and standard of the City.

The subject site is within the General Commercial (C-2) Zone, designated for highway-oriented retail and service activities. Aten Express aligns with this zoning by providing essential services like fuel, food, and refreshments for motorists and residents. Its design and operations support the goals of the Imperial General Plan, ensuring safe vehicle access, reducing congestion, and maintaining an orderly appearance. Aten Express complies with local regulations and city ordinances, contributing to the economic vitality of the City. Its continued operation, including alcohol sales, remains consistent with the objectives of the General Commercial (C-2) Zone and the City's development goals.

2. That the location, size, design, and operating characteristics of the proposed use will be compatible with and will not adversely affect or be materially detrimental to adjacent uses, residents, buildings, structures, or natural resources with consideration given to those items listed in Section 24.19.340.B of the Imperial Zoning Ordinance.

The location is ideal for a convenience store, offering patrons a quick and convenient stop for gas and refreshments as they travel along one of the City's main corridors. The site's strategic placement along a well-trafficked route makes it a suitable location for retail services, including the sale of alcohol. Aten Express has been selling alcohol for many years prior to Mr. Kakkar's acquisition, without any recorded incidents of adverse effects or material detriment to adjacent land uses, residents, buildings, structures, or natural resources. Additionally, the store has maintained a good track record of compliance with local regulations and standards concerning alcohol sales. The established operating characteristics, including responsible alcohol sales practices and ongoing staff training, further ensure that the proposed use remains compatible with the surrounding area. Given these factors, the continuation of alcohol sales at this location will not negatively impact the community or environment and is consistent with the objectives outlined in Section 24.19.340.B of the Imperial Zoning Ordinance.

3. That the proposed location, size, design, and operating characteristics of the proposed use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

ATTACHMENT B

With the established Conditions of Approval, the proposed project will not negatively impact public health, safety, or welfare. Aten Express has a proven record of responsible operation, and Mr. Kakkar is committed to continuing this standard. He will implement staff training focused on responsible alcohol sales, addressing the concerns of the Imperial Police Department.

The store's existing security measures, such as surveillance cameras and proper lighting, further ensure a safe environment. By adhering to these conditions and maintaining responsible practices, Aten Express will operate safely and harmoniously within the community, without causing harm to neighboring properties or the public.

4. That the proposed Conditional Use will comply with each of the applicable provisions of the Zoning Ordinance, except for any approved Variance.

The proposed project, which includes the sale of alcohol, complies with all applicable provisions of the City of Imperial's Zoning Ordinance. Aten Express is located in a General Commercial (C-2) Zone, where alcohol sales are permitted as a conditional use. There are no variances requested or required for this project, and all zoning regulations and requirements, including those related to signage, parking, and hours of operation, will be fully adhered to. By meeting these conditions, the project ensures alignment with the City's zoning standards and regulations.

- G) The City Attorney is authorized to make minor typographical changes to this Resolution that does not change the substance of this Resolution;

PASSED, ADOPTED AND APPROVED by the Planning Commission of the City of Imperial, this 28th day of August, 2024.

Planning Commission Chairman

ATTEST:

City Clerk

EXHIBIT A

**CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT 24-07
TO ALLOW OFF-SALE ALCOHOLIC BEVERAGES SALES
AT ATEN EXPRESS LOCATED AT 390 ATEN ROAD (APN 044-601-013)**

1. This Conditional Use Permit shall only be valid so long as the Type 20 ABC License authorizing the sale of beer and wine for consumption off the premises where sold, is valid to the proprietor/owner.
2. No sales or service to intoxicated patrons. It is recommended that employees undergo regular training on responsible alcohol sales, including recognizing the signs of intoxication and the legal ramifications of selling alcohol to intoxicated individuals.
3. No sales to minors. California law requires verifying the age of all patrons who appear to be under thirty (30) years of age with forms of identification that include a California Driver's License, a California ID Card, a US Passport or a US Military ID. It is recommended that employees understand the legal ramifications of selling alcohol to minors and undergo regular identification verification training.
4. The provisions of this Conditional Use Permit are to run with the land/project and shall bind the current and future owner(s) successor(s) in interest, assignee(s) and/or transferor(s) of said project.
5. A copy of these Conditions of Approval and the California Department of Alcoholic Beverage Control (ABC) license are required to be kept on the premises and presented to any law enforcement officer or authorized City official upon request.
6. The proprietor/owner shall be responsible for the removal of all graffiti from the walls, fences, pavement, or buildings within 72 hours of its appearance on the property.
7. The proprietor/owner shall be responsible for maintaining the project site, parking lot, and adjacent areas free of litter and must implement sound maintenance and housekeeping procedures.
8. The proprietor/owner shall comply with all local, State and Federal laws, regulations, rules, ordinances, and standards as they pertain to this project, whether specified herein or not. Where conflicts occur, the most stringent shall apply.
9. The conditional approval of the Conditional Use Permit shall not constitute the waiver of any requirement of the City's Ordinances or regulations, except where a condition set forth herein specifically provides for a waiver.
10. If the Community Development Department finds and determines that the Permittee or successor-in-interest has not complied or cannot comply with the terms and conditions of the Conditional Use Permit, or the Planning/Building Department determines that the

ATTACHMENT B

permitted activities constitute a nuisance, the City shall provide Permittee with notice and opportunity to comply with the enforcement or abatement order. If after receipt of the order (1) Permittee fails to comply, and/or (2) Permittee cannot comply with the conditions set forth in the Conditional Use Permit, then the matter shall be referred to the Planning Commission for permit modification, suspension, or termination, or to the appropriate enforcement authority.

11. As between the City and the Permittee, any violation of this permit may be a "nuisance per se". The City may enforce the terms and conditions of this permit in accordance with its Codified Ordinances and/or State law. The provisions of this paragraph shall not apply to any claim of nuisance per se brought by a third party.
12. The proprietor/owner shall not be permitted to maintain a nuisance, which is anything that is (1) injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property, and/or (2) affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal, and/or (3) occurs during or as a result of the re-located business.



Staff Report

Agenda Item No. F-1

To: Traffic Commission

From: David Dale, PE, Public Services Director

Date: August 20, 2024

Subject: South Imperial Avenue Proposed Parking Changes in Front of City Hall
between 4th Street and 5th Street

Background

On July 3, 2024, the City Council approved the removal of the mid-block crosswalk on South Imperial Avenue. The Gas Company completed a slurry seal project on South Imperial Avenue and subsequently re-striped the angled parking without the crosswalk. This resulted in an additional two parking stalls where the crosswalk was. City staff will remove the concrete ramp and install 6-inch curb and gutter in the near future. Permanent angled parking was not striped on South Imperial Avenue between 5th Street and 6th Street due to proposed development adjacent to this area. Staff is recommending to remove the last two angled parking spaces just south of the exit driveway from City Hall to allow better field of vision for exiting traffic to see northbound traffic on S. Imperial Avenue. With the addition of two parking stalls due to the removal of the crosswalk, and the proposed reduction of two stalls for field of vision, the net result is the same number of stalls prior to the crosswalk being removed.

There have been collisions in this area. In lieu of the two parking spaces, staff is recommending the area be designated a drop-off/pick-up parking area only. This drop-off/pick-up area could be used for deliveries to City Hall and dropping off water bills in the outdoor drop box. Additionally, it is being recommended to add (3) 15 Minute Parking stalls on S. Imperial Avenue for individuals that have business with the City.

Importance of Safe Exit from the Existing Parking Lot

Vehicles parked immediately south of the exit driveway from the City Hall parking lot block the view of drivers exiting the driveway from northbound traffic on S. Imperial Avenue. There has been at least one incident where a city employee got into a collision with a northbound vehicle when exiting the driveway. When the Gas Company completed the striping for the angled parking stalls, they were instructed not to stripe the last two stalls to allow employees to experience how much more field of vision is available with the two stalls removed. If it is determined that the parking stalls shall remain, Public Services staff will stripe the stalls with thermoplastic.

Impact on Surrounding Areas

While the removal of the two angles spaces will reduce the number of parking stalls, two angled spaces were added with the removal of the crosswalk. Therefore, there it is a wash, while adding a drop-off/pickup area. Three spaces are being proposed to be designated 15 Minute Parking. The existing 15-Minute Parking will be removed from the onsite City Hall parking lot, thus allowing more spaces available in the parking lot.

Key considerations include:

1. Proposed Modifications:

- **Removal of Two Angled Parking Spots:** The angled parking spots were already removed as a part of the Gas Company slurry seal project. The spots were not striped in anticipation of this item being brought to the Traffic Commission. If it is determined that the spaces should remain, Public Services staff will stripe the spaces. If it is determined that the area should be a “Pickup and Dropoff” Parking only, Public Services will stripe it as such and install the sign. Cost is estimated to be \$300.
- **Adding (3) 15-Minute Parking Spaces:** The spaces designated for 15-Minute Parking Only will be relocated from the parking lot to S. Imperial Avenue. This will give them more visibility and use, and could be enforced. The cost to add the signage and striping is estimated to be \$500.

Development Review Committee (DRC) Feedback

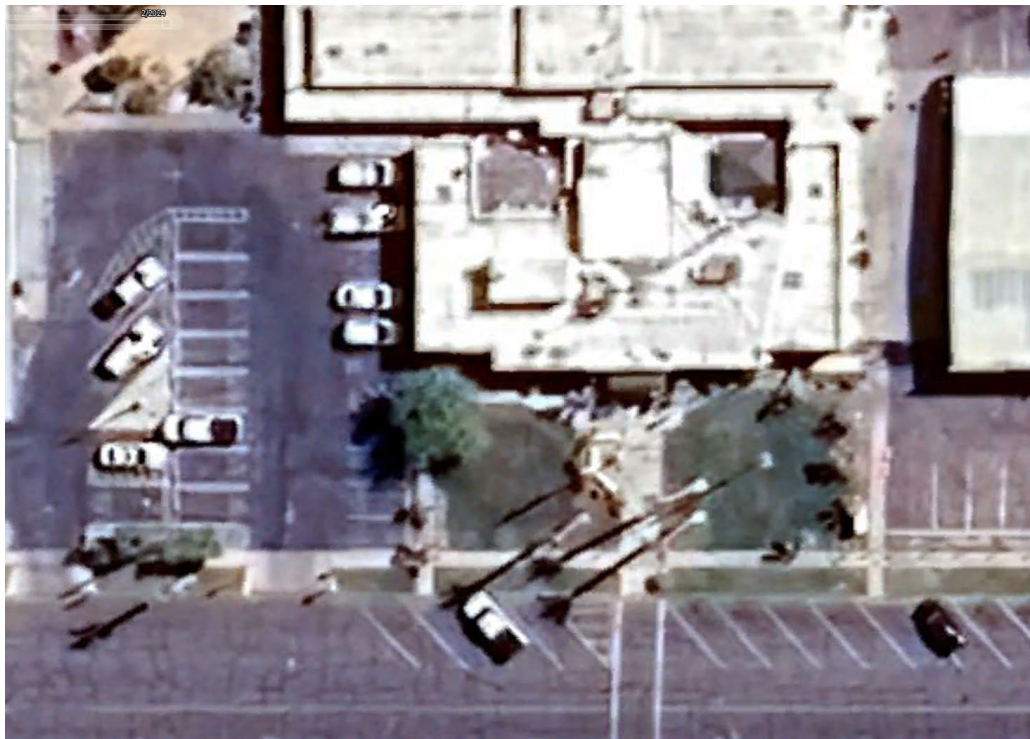
As part of our assessment, we have collected feedback from the DRC. The members of the DRC agreed and had no objections to the proposed project.

Environmental Compliance

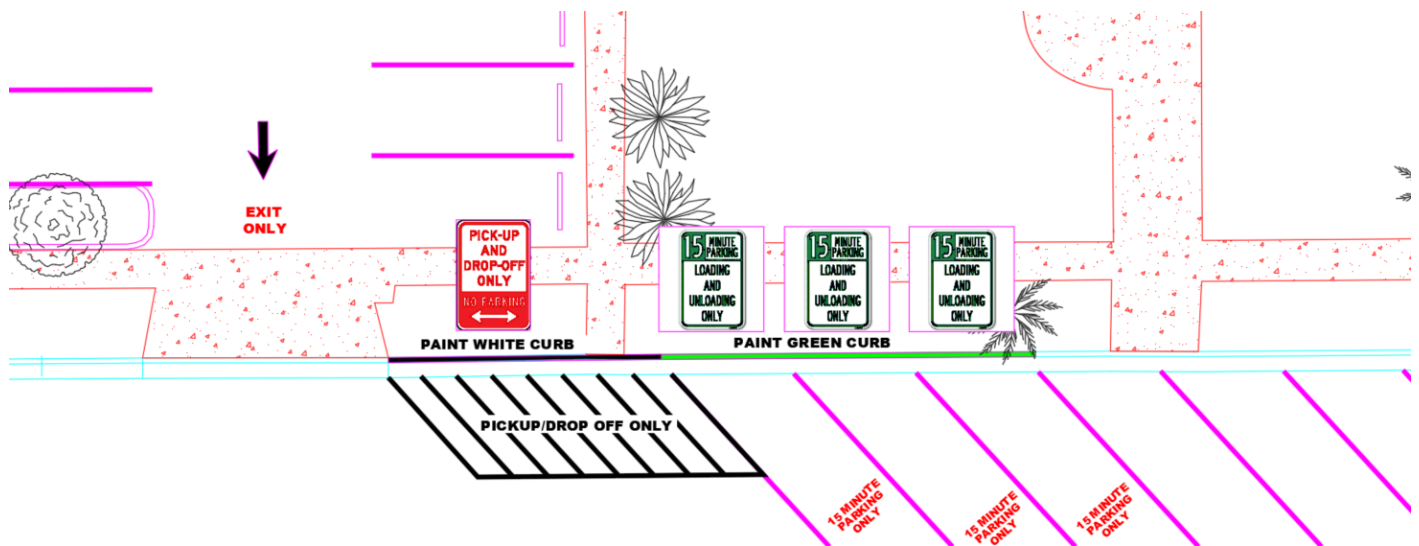
The project is categorically exempt from the California Environmental Quality Act (CEQA) under Section 15301 (Class1)-Existing Facilities. Minor alteration to the existing street to enhance safety.

Staff Recommendation

Based on these findings, staff recommends the modifications to the striping along S. Imperial Avenue in front of City Hall.



Existing Parking on S. Imperial Avenue Between 4th and 5th Streets



CITY OF IMPERIAL

420 South Imperial Avenue

Imperial, CA 92251

Ph: (760) 355-3840 • Fax: (760)355-4718

Proposed Parking Changes on S. Imperial Avenue Between 4th and 5th Streets



Staff Report

Agenda Item No. F-2

To: Traffic Commission

From: David Dale, PE, Public Services Director

Date: August 19, 2024

Subject: Modify Traffic Signal at Hwy 86 and 15th Street to Split Phase and Removal of Unmarked Pedestrian Crosswalk

Background

The Public Services Department has received requests to modify the traffic signal at Hwy 86 and 15th Street to include “split phasing”. The existing signal utilizes a “permissive turn approach”. In the permissive turn phasing, left turns are permitted to cross opposing flow when there is an appropriate gap in the opposing traffic stream. Split phasing is a signal design that gives a green phase for all vehicle movements of each direction, followed by a phase for all movements of the opposite direction. A protected turn is denoted by a green arrow, activated by a vehicle detector system. Protected turns require a separate signal phase. With the exception of this signal light, all signal lights in the City of Imperial are split phase.

Importance of Safe Left Turns and Pedestrian Safety

Traffic in this intersection has increased since this signal was installed. Frank Wright Middle School (constructed 2006), McDonald’s, the Post Office, Starbucks and Quick Quack Car Wash are now located near this intersection. Traffic backs up waiting for vehicles waiting to turn left for vehicle traffic and pedestrians. There is an unmarked crosswalk on the south leg of 15th Street that has a pedestrian head and push buttons. These are proposed to be removed to enhance safety. Pedestrians will continue to use the north leg of the marked crosswalk to cross Hwy 86.

Impact on Surrounding Areas

The removal of the crosswalk and changing the signal to split phasing will affect residents in the surrounding area, parents dropping off students, and pedestrians who cross Hwy 86 at 15th Street.

Key considerations include:

1. Infrastructure Modifications:

- **Removal of Pedestrian Crossing on the South Side of 15th Street:** The pedestrian heads and push buttons serving the unmarked crosswalk will be removed. Pedestrians will be forced to utilize the north leg of the marked crosswalk along 15th Street. The school and commercial areas are located on the north side of 15th Street. There is no sidewalk on the south side of 15th Street east of Hwy 86.
- **Keep Crosswalk:** Currently, there is no marked crosswalk on the south leg. The cost of striping the crosswalk in thermoplastic is \$1,000.00.
- **Change from Permissive Phasing to Split Phasing:**
Components of changing to split phasing include the following:
 - Replace the existing Green Ball LED at the Northeast corner of the intersection and replace with 12-inch Green Arrow.
 - Replace the existing Green Ball LED at the Southwest corner and replace with a 12-inch Green Arrow.
 - Remove Eastbound three light signal head at the Southeast corner and replace with a new four light signal head (one green arrow).
 - Remove westbound three light signal head at the northwest corner and replace with a four light signal head (one green arrow).

The project cost is approximately \$20,000 which includes engineering, equipment, materials and labor.
- **Keep Permissive Phasing:** There are traffic backups in this intersection partly due to the increased traffic from the school and commercial elements. Permissive phasing in this intersection creates backups due to vehicles waiting to turn left on a green light.

Development Review Committee (DRC) Feedback

As part of our assessment, we have collected feedback from the DRC. The members of the DRC agreed and did not object to the proposed project.

Environmental Compliance

The project is categorically exempt from the California Environmental Quality Act (CEQA) under Section 15301 (Class1)-Existing Facilities. Minor alteration to the existing street to enhance pedestrian safety.

Staff Recommendation

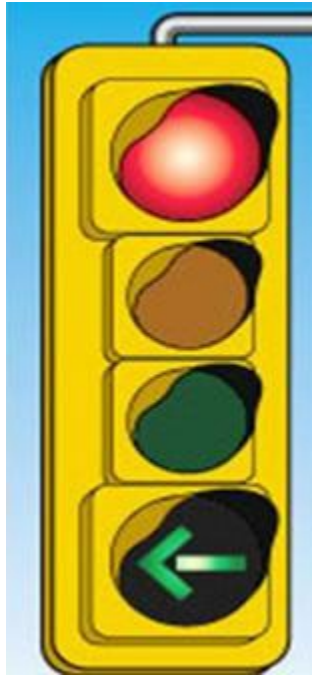
Based on these findings, staff recommends the modifications to the signal at Hwy 86 and 15th Street, to go from a permissive phasing to a split phasing approach, and remove the pedestrian crossing on the south leg crossing Hwy 86.



Existing Conditions - Westbound on 15th Street Crossing Hwy 86



*Existing Eastbound on Worthington Street Crossing Hwy 86 – Similar Type System
Proposed for 15th Street*



Proposed Protected Left Turns Signal Head for Westbound and Eastbound Traffic