



Minutes

PLANNING COMMISSION TRAFFIC COMMISSION REGULAR MEETING

220 West 9th Street
IMPERIAL, CA 92251

WEDNESDAY, AUGUST 24, 2022
6:30 PM

PLANNING COMMISSION

Mark Hammerness – Chairperson
Veronica Harvey – Vice Chairperson
Alice Abatti – Commissioner
Stacy Mendoza – Commissioner
Ruben Rivera - Commissioner

- A. **PLANNING COMMISSION CALL TO ORDER:**
At 6:32 pm Chairperson Hammerness called the meeting to order

ROLL CALL:

Commissioners Present:

Mark Hammerness – Chairperson, Veronica Harvey – Vice Chairperson, and Stacy Mendoza – Commissioner

Alice Abatti – Commissioner on site at 6:36 pm

Not Present:

Ruben Rivera – Commissioner

City Staff Present:

Alexis Brown-Assistant City Manager, Katie Turner- City Attorney, Othon Mora-Community Development Project Manager, Luis Anguiano-Information Technology Support Technician, Jillian Mehdipour-Public Records, and Yvonne Cordero-Community Development Planner.

PLEDGE OF ALLEGIANCE:

Led by Veronica Harvey

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 August 10, 2022.

Action:

Mendoza made a motion to approve the *Consent Calendar item C-1*. Harvey seconded the motion.

Ayes: 4

Nays: 0

Absent: 1

Motion Passed 4-0

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

D-1: Subject: Public Hearing, Action: Conditional Use Permit (CUP 22-01) for Quality Dismantling to allow for the operation of Quality Dismantling, an auto dismantling and towing facility located at 604 E. Barioni Boulevard (APN 064-072-001).

Open Public Hearing:

Chairperson Hammerness opened the hearing at 6:37pm

Discussion:

Cordero, presented the staff report. The applicant, Navid Sam, and his partner, Mr. Parsa, presented a slide show of pictures taken of the facility. They explained their intentions with the business. Abatti, where are you getting the parts from? Navid, we buy the cars from auctions and sell the parts to San Diego and LA. Abatti, how much traffic will there be with the delivery of vehicles. Navid, we will have delivery trucks that will hold three vehicles. We will have 25-30 vehicles on site. They won't be often, about one a week, and they will be during business hours Monday through Friday, 9 a.m. to 5 p.m. Abatti, why are you limiting yourself to only 30 when the site can hold more? Navid, we have limited funds and more vehicles. You have more liability and more issues. Abatti, do you still run your San Diego operation? I have it run by a manager that frees me to be here. Abatti, how many employees will you have? Navid, it will be me and my partner and one employee. Eventually, we will add more employees, at most 20-30. The money that comes into our business is from body shops in Los Angeles and San Diego that order the parts. Harvey, what hours will the vehicles be coming in? Navid, they will come in during business hours Monday-Friday, 9-5pm, because there will not be someone there to let them in after hours, no one will be there 24hrs. Harvey, what will be done with the towing? Navid, that is what I do on the side. I tow vehicles for insurance companies during business hours. The vehicles will not come to the site. I just want to store my trucks on the property since they cannot be parked on the street. Mendoza, you talked about 20 jobs. What type of skill set are you looking for? Navid, in the future, I would need someone as a receptionist, someone for inventory, and a mechanic to remove parts. Mendoza, how long do you think it will take before you fill the 20 jobs? Navid, it will be a few years. With a new business, things take time. Mendoza, in the staff report, it says people will not be coming and going, but it is not stated in the conditions. Can this be something that we put in the conditions? Mendoza, the report states that all non-usable parts will be recycled, so is that the frame? Navid, yes, the frame is recyclable. Mendoza, how long will a vehicle be on site before being recycled?

Navid, about a month, enough time for me to remove all the parts and store the non-sold parts. Mendoza, in the CUP, it says they're going to have to build a masonry wall. There is currently a six-foot fence there, so will that get torn down and the masonry wall get built? Navid, it's actually seven feet. Mora, that is correct. Mendoza, my concern is how we are going to maintain the aesthetics of the property. How will you be painting it and advertising it? Navid, I am not targeting local customers. My customers are hundreds of miles away and will be buying from me online or by phone and then delivered. The only sign that will be on the building is the business name on the front because the DVM requires me to have that sign for my dismantlers license. This building in that area is the best-looking building in the area. If you look at the other buildings in the area, they are dirty and there is bird seed all over them. I have brought pictures to show you the difference in the surrounding buildings. Mendoza, can we put in the condition that all areas are obscured from view? This question is for the city. We hope to have a long-term business, but have we thought about what happens if the business leaves and we are stuck with the cleanup? Mora, one of the venues we can use is the abatement process in case that happens. It is widely used in cities. Navid, you can do that, but all of the vehicles are money. I am not going to leave money laying around. Turner, from a council standpoint, I have picked a few things you may want to add to the conditions: the times, the signage or graffiti cleanup, where you want the sign, and keeping things from the public view. Mora, you can also add the height requirement to the fence if you wish to do so. Mendoza, it's seven feet now. I would want to keep it at seven feet. Hammerness, so he is going to be replacing the fence that is there now? That's a pity because it's actually a nice fence. Navid, the fence that is there now is not good? Mendoza, one of the conditions here is that you will put up a masonry wall. Hammerness, in San Diego, your company is called Two Toe Towing. Navid, that's actually a mistake. I told her I have two towing companies. It's called Quality One Towing, and we operate out of Oceanside. Working with insurance companies, I don't advertise since I am contracted. I get all of the business I need from the insurance companies. Mendoza, that's another condition that we need to add is to make sure this does not turn into an impound yard for the towing company. Hammerness, if he wants to add that to his business, why shouldn't we allow him to add it? Mendoza, then we need information on it. We have no information. Hammerness, why should we restrict him to a business he is just starting? What if he does want to add this down the road? Mendoza, we are going by what is presented tonight. The staff report says he will not use the site as an impound yard, but it's not in the CUP. Abatti, I agree with Hammerness by limiting him on the CUP, I am not cutting off his business opportunity. Hammerness, we want to clarify the hours of operation in the CUP. Navid, with my AAA contract, I base my contract based on my work hours. If the dismantling business does not give the desired outcome, then I will return here to make those changes. For now, I am very clear that my intentions are just for the dismantling, Monday to Friday, 9 a.m. to 5 p.m. Hammerness, if you had someone locally come and wanted to sell you a car, would you do that type of business? Navid, that is not how we normally do business. We buy the cars from the auction. I will have parking spots in the front, as shown on the plan, for employees or whoever. If someone locally contacted me, we could meet in the office to pick up the part, but no one would be going to the yard. Hammerness, that's different than what is here. It says that nobody will be going on site. Going in to your office and the yard are two different things. Is there a distinction in the CUP between going into the office and going into the yard? Mendoza, we

do not. Hammerness, that is something we may want to look at. Navid, let me ask, is that going to be an issue? I can limit it and not have that. Hammerness, the CUP is designed to be a barrier but not because it's not flexible; it is to make sure everyone is happy. You can always come back later to make changes. Abatti, I do not want to limit you. I want you to be able to have a business. Hammerness, is your business just limited to body shops or can the average citizen buy them? Navid, yes, I mostly sell on eBay Motors. Hammerness, so it's not going to be like a shopping site. Hammerness, the facility right now has four entrances with the current fences, but if you put up a new wall, that could change. Navid, I was thinking about keeping it the same. Hammerness, staff, why are we making him put up a masonry wall when there is a good high fence? Mora, aesthetics. We want a more appealing fence. That is one of the things we requested the applicant to install. It was on the conditions of approval and he agreed to it. Navid, I didn't pay attention to that part, but if we could keep the one that is there, it would save me a lot of money. The one that is there is nice. I took pictures and there is nothing visible. Abatti, are we making all the surrounding businesses do that as well? Are we making them put up a masonry wall? Mora, there is always a lot of back and forth, but he agreed. One of the options that would be less expensive would be a wood frame with stucco outside. In this case, we gave him a copy of the conditions and he agreed. That's what we are presenting to the commission. Hammerness the current chain fence is better than a wood fence with stucco for longevity as far as I am concerned. Abatti, and durability. Hammerness, it's for the full perimeter, and you already signed it. Navid, yes, I did. Abatti, that's a major investment. Brown, as the commission, you can change it. As a new business, I think it is onerous for a new business to spend that type of capital investment when the neighbors have rod iron fences where you can see the pallets piled up, birds at the seed mill, and they are not being asked to do the same thing for aesthetics. It's not fair to the neighborhood. Not everyone is being treated the same. Hammerness, I think it's in the Fire Department sections that he needs to redo N Street or O Street. Abatti, why does he need to do that? Hammerness, The Fire Department is recommending the applicant pave east 9th street between north N and O streets to provide uninterrupted emergency access. All of those other businesses that use those streets too, are we going to hit up all the other businesses over there too for improvements? Mora, that is the recommendation. We gave it to them, and they agreed to it and signed it. Navid, if my entrance is not even on that side, is that going to make a difference? The fire department wouldn't even go in on that side; it would just be for someone else. Mora, its so the fire department can go around. They want to have 360-degree access. Hammerness, they are going to have 360 access if the street is paved or not. I think this is presumptive on the fire department to dictate streets' need to be paved. Their equipment is well equipped to drive in the mud a little bit. I have a problem with the fire department dictating what streets should be paved is out of their area. Abatti, I agree with you, and as pointed out, other businesses use that street, so why should a new business be strapped with the expenses 100%? Even though he signed it, he is enthusiastic about starting his business. He knows what he does and probably didn't read this all the way or have an attorney or accountant to advise him before he signs his life away, and you can't run your business because you're hocked all the way up to here. Navid, you just spoke my mind. Abatti, just because he signed it, doesn't mean things can't be changed. Hammerness, we do have that power. Navid, if you let me keep the fence, I will pave the street. Abatti, no way you don't want to do that.

Tim Gaddis (another business owner in the area), addressed the commission and stated: I would like to help this guy out too. I have been doing this for 40 years and I think he really needs to go back and look at that CUP. How big is that property, 300 feet? It's going to cost you around \$90,000.00 to build that block wall. I would hate for him to sign that tonight and not fully understand. It could be the hazard material that a block wall is required. These are just comments. The back street is a mud hole. If he is putting up a block wall with no entrance, there is no reason he would need to pave a road. There must be another way to approach this. I had a lot of questions when I heard about this. A lot of the questions were answered tonight. You have landscape going all around the property. Another thing you may want to look at is not having landscaping on the north end of the property. It's not visible from the street, and it's going to be hard to keep anything alive back there, so maybe not requiring him to do that? It is nice that the rest will be done. So, the ingress or egress is going to be specified off of N or O street instead of off Barioni since traffic is like a speedway? Mora, I don't think he is going to be able to enter off of Barioni. He does have two side entrances. Tim Gaddis, is the county ACP involved too? Mora, they will be afterwards. Tim Gaddis, so he will have to go there after and should be aware of what they will expect because they can really throw a wrench in things. If these things are followed, I don't see why he shouldn't be allowed there. We should all be happy that something is going on in there. I think the staff did a great job of clarifying everything. Brown, just as an avenue due to the extensive changes and the applicants' comments that he did not fully read it through, you do have the option to have staff take all of the recommendations, adjust the conditions, speak to Fire, and bring it back to you. I realize that could cause some delay. We want you to understand that we want you to open, but we want to be on the same page and make sure we are giving you the platform to do so successfully. I'm just letting you know that to take the instruction feedback, but that is an option. Hammerness, that's why I asked if we could do that. This has gotten unwieldy enough that maybe it needs to. Brown, rather than closing the public hearing, you would continue the public hearing to a future date. So that is the avenue we would take to bring this back. Turner, and then what you will see in your packet is the exact same packet, but then with the red line that tries to address everything that was brought up, so you will recognize everything here but see a second one. Mendoza, can we get clarification on item U on the CUP? Abatti, it's missing the wires. Hammerness, I think we should continue this. Abatti, I agree. In the future, can we number the pages at the bottom? Mendoza, in regard to the impound yard, I don't mind if there is one there, but the way it was presented to us, there won't be one there. If there is going to be one there, we need it in those conditions, and we need to know about that part of the operations. Abatti, what if it's present just as it is in the background? There will be no vehicles stored at the project site. If he wants to change that, then he can come back to us. Hammerness, if we can have the CUP match up with the staff report. If you're going to have the operating hours in the staff report, let's get them in the CUP. Let's address that cinder block wall. That's a huge expense when there is already a nice fence and lattice. The paving of the street, unless we are going to have the other business over there start forking over funds, we shouldn't make him. Maybe we can do an impound amount that he can pay in to and they can all do a cost share if we want to get more business over there. Turner, we have a clear list of what is being requested.

At 7:36 pm the public hearing was adjourned and continued until a special meeting on September 27, 2022, at 7:00 pm.

E. ACTION ITEMS: (DISCUSSION/ACTION-APPROVE/DISAPPROVE)

E-1: Subject: Discussion/Action: Appointment of one (1) primary representative and one (1) alternate representative to participate on the City of Imperial Arts District Advisory, Friends of Imperial Parks, and Ad Hoc Committee.

Discussion:

Brown, since we did a reorganization of the commission, now what happens is we can reestablish that. Subsequent to it, we may reaffirm, reappoint, or appoint new delegates to the three committees aside from the Planning Commission. You have a primary and alternate. You have the Imperial Arts District Committee assigned to it. You currently have Vice Chair Harvey and Commissioner Rivera. Friends of Imperial Parks currently has a Commissioner Mendoza with the alternate being Harvey. The Ad Hoc Committee is comprised of two members, you (Hammerness) and Commissioner Mendoza. It is your decision on how you would like to proceed. Hammerness, I know Rivera is in the arts. I know he enjoys it, I know you're on it (directed at Harvey). Do you want to stay or change? Harvey, I would love to stay, and I know Rivera enjoyed it too. Hammerness, do you want to stay on the Ad Hoc (directed to Mendoza)? Mendoza, I do. If it pleases the council or commission, I'll be fine. Hammerness, I don't mind being on that one, but I should be on something. Hammerness, Commissioner Abatti, are you in the Imperial Parks? Abatti, I am not on anything and I am going to stay that way. My time is limited. Mendoza, I am on the Friends of Imperial Parks and I would like to stay on that. In my day job, I have a grant I am administering. It is done in partnership with the City of Imperial and I am working with the staff and the Friends of Imperial Parks. Hammerness, who is in the parks also? Brown, Harvey is the alternate, and she is the primary for the Arts District. Hammerness, do you want to stay in the parks? Harvey, unless someone else wants it. Hammerness, then you can stay on it till you tell me you want a replacement. Harvey, then it can stay as is. Brown then that would be to reaffirm appointees as is.

Action:

Mendoza, made a motion to reaffirm the appointees for the select *committees for the City of Imperial Arts District Committee, Ad Hoc Committee, and Friends of Imperial Parks* remain the same. Harvey, seconded the motion.

Ayes: 4

Nays: 0

Absent: 1

Motion Passed 4-0

F. REPORTS:

F-1: Commission Reports

Abatti:

Why was the part of La Brucherie that is closed for three months not done during the summer in slow months with less traffic? Mora, timing the process of getting the bid and reviewing the information. The original intention was to start in the summer. Brown, the biggest hiccup was waiting for the funding. As soon as all the funds were ready, it was moved to the council for approval.

Mendoza:

We met as the Friends of Imperial Parks. She went over information for the Barricades Jeeps Go Topless event that took place. She mentioned that the group will be in charge of alcohol sales at the Market Days in Imperial.

Hammerness:

The school district failed to meet with the commission on a plan. I had a citizen complaint about the light at 15th and Imperial Ave. People are not yielding to traffic, so can we change the lights so that you can't go east and west at the same time? I want to know if we can give it a try and give it a go for a couple months. Brown, for the sync and timing, that would be a question for public services. We will have to speak to them and see what the options would be and go over it with you. Morita, I have been told it is dangerous to try something out then change it back, leaving people to expect it to be a certain way after it is changed back. Hammerness, I mean, let's change it and not change it back. If it works on Neckle and 86, why should it not work. Morita, I believe that is how it is on Barioni and 86 as well. Mendoza, having it stay green and people at the school not having to wait for people to come west helps it clear out faster. Hammerness, it would help the school traffic and match all of the lights together. Morita, we do have a traffic study that suggests changing the current status of Barioni and 86 to left turns yielding to traffic. Brown, we have noticed that traffic engineers are about the flow of traffic and not so much safety, and we have to analyze and make sure the right thing is imposed. Hammerness I would like to have an analyst. Brown, we will put everything together and bring it back to the traffic commission.

F-2: Staff Reports:

Mora:

We looked over Aten and Clark and saw what was going on and got the material to be restriped in a couple weeks.

Morita:

There was a meeting today with developers. Commissioner Mendoza and Hammerness were in attendance. Developers' impact fees were discussed. We had a consultant that prepared a draft study present with a discussion with the development community on what is proposed with the development fee increase. The impact fees are what new development will pay for the costs associated with the impacts of new development. This is limited. We cannot take these fees paid by new development and fix another part of town. It is used to expand facilities to accommodate new development. The last time we did an update was in 2010. The recommendation is in circulation, which is streets, expansions on our major streets like Ralph, Aten, and Dogwood. It

proposes a 600% increase. The proposed park increase is 300%. We will have another meeting on the development and fee structure and eventually a public meeting.

Brown:

We got to show our new partnership with the Imperial Valley Chambers. They helped facilitate today's meeting. They will continue to work with us. We are hoping for a large turn out next time. We did have RSVPS that could not make it, but we will keep them updated. Please mark your calendars for October 12th, that is the joint public hearing that will be with the City Council, potentially adopting whatever this looks like. We have released the Market Days Calendar. Come out and support our Friends of Imperial Parks with the other booths. October 15th will be Fiesta De Los Muertos. Dates are on our website.

At 7:57 pm Chairperson Hammerness adjourned the Planning Commission meeting until the next regularly scheduled meeting September 14, 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.