

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

#### CALL TO ORDER/ROLL CALL

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

**Present:** Marquez, Hutchinson, Goyal, Bumbera, Smith,

**Absent:** Reyes, Sagredo

#### APPROVAL OF AGENDA

Motion: The Planning Commission approves the agenda as presented. m/s/c Bumbera/Smith 5-0

#### APPROVAL OF MINUTES

Vice Chairman Hutchinson noted a need for a correction on who called the meeting to order.

Motion: The Planning Commission approves the minutes of May 7, 2014 as corrected. m/s/c Hutchinson/Smith 5-0

#### PUBLIC APPEARANCES

Chairman Marquez called for public appearances. There were none.

#### PUBLIC HEARING

Due notice having been given, now is the time to consider an application for a variance (VAR14-02) to allow construction of a 6-foot high wrought iron fence within the front yard setback an apartment complex in R-E (Residential Medium Density) zone, 275 Cattle Call Apartments.

Applicant: Tina Carroll  
1007 Calle de Lune  
Brawley, CA 92227

Location: Parcel 2, Certificate of Compliance of the West 250 feet of the Suth 165 feet of Lot 21, Rio Vista Rancho Subdivision, City of Brawley, County of Imperial, State of California, APN 048-185-015

Gordon Gaste, Planning Director gave an overview of the project.

Applicant Tina Carroll explained that she has been having issues of graffiti and vandalism of tenant's automobiles.

Commissioner Bumbera inquired if the property had the required parking spaces.

Mr. Gaste answered that it meets the Zoning Ordinance parking requirements.

Mr. Marquez opened the public hearing at 5:38 p.m.

There were no public comments or questions from public or the Commission.

Mr. Marquez closed the public hearing at 5:39 p.m.

Motion: The Planning Commission makes findings consistent with the Planning Commission Staff Report and approves the variance (PM14-02) allowing for the 6-foot high wrought iron fence within the 20 foot front yard setback subject to compliance with the conditions of approval. m/s/c Smith/Goyal 5-0

#### DISCUSSION –SIDEWALK SALES IN THE DOWNTOWN DISTRICTS

Mr. Gaste gave an overview of exploring new possibilities to allow for sidewalk sales in the

Downtown Specific Plan area per direction of City Council. Mr. Gaste listed several potential options.

Francisco Soto stated that since the relinquishment of Main Street by CALTRANS and the adoption of the Downtown Specific Plan, no sidewalk sales are allowed unless the business possesses a Conditional Use Permit.

A discussion ensued regarding handicap access requirements and potential limits on when and what portion of the sidewalk that sales can take place.

Mr. Jason Zara, Brawley Chamber of Commerce Executive Director, stated his support for sidewalk sales. Possible restrictions that he mentioned were the location on the sidewalk the sales can take place and allowing each business to obtain a license twelve times a year for such sales. He also stated that maybe also allowing additional sales during special events such as the Farmer's Markets and Cattle Call.

Commissioner Goyal voiced his support for allowing the sales every day of the year since it helps to promote their business.

Mr. Marquez stated he would support daily sales if it were restricted to only 5 feet in front of the store which would still allow 10 feet of access for pedestrians.

Mr. Soto stated that the Fire Department has had concerns that when they take the products in for the day, that storage of the products is blocking the doorway inside the building.

A discussion ensued about allowing only certain types of products are displayed outside. However, the Commission determined that since there was such a large variety of products, listing restrictions would create bias and a difficult subjective way of enforcing the ordinance. It was agreed that items should be displayed in an organized fashion either on a rack or on a table.

The Commission directed the Planning Director to provide some samples for other cities for comparison purposes.

Mr. Hutchinson asked if this would have any effect on Farmer's Market or other special events. Mr. Gaste stated that the procedure for allowing those types of events are already established and lead by the Public Works and Parks and Recreation Department.

Mr. Gaste recommended that the downtown merchants should also be involved for the aesthetics of the sales.

The Commission directed the Planning Director to write the draft ordinance that includes the sidewalk sales be allowed of first 5 feet adjacent to the building every day and noted that further procedures and restrictions could be added when the item comes back in August meeting for recommendation for approval.

#### ZONING CODE ENFORCEMENT

Mr. Soto stated that his department is still in the process of enforcing the banner sign ordinance and notifying property owners if they are in violation.

Mr. Soto also mentioned that he is actively trying to enforce the proper securing of abandoned residences, moving transients off of vacant properties and weed abatement.

Mr. Smith asked about the progress of the property at 279 J Street. Mr. Soto stated that the case is moving forward with the City Attorney at this time.

#### NEXT MEETING DATE

The Commission voted to skip the July regularly scheduled meeting and adjourn to the August regular meeting to August 13, 2014 due to anticipated absences by the Commissioners which may prevent a quorum.

#### ADJOURNMENT

Motion: The meeting of the Planning Commission adjourns at 6:20 p.m. m/s/c/ Smith/Bumbera 5-0