



Planning Commission Minutes

Planning Commission Meeting
Meeting of November 7, 2022
ONLINE ONLY MEETING
<https://www.nationalcityca.gov/webcast>
LIVE WEBCAST
Council Chambers, Civic Center
1243 National City Boulevard
National City, CA 91950

These minutes have been abbreviated. Video recordings of the full proceedings are on file and available to the public.

The meeting was called to order by Chair Yamane at 6:02 p.m.

Roll Call

Commissioners Present: Yamane, Valenzuela, Sendt, Sanchez, Miller, Castle.

Commissioners Absent: Natividad.

Staff Also Present: Director of Community Development Armando Vergara, Legal Counsel Elizabeth Mitchell, Planning Manager Martin Reeder, Planning Technician Adan Pacheco, Executive Secretary Sarah Esendencia.

Pledge of Allegiance by Commissioner Ricardo Sanchez

1. Commissioner Martin Miller indicated that the Meeting Minutes for October 17, 2022 were not provided in the agenda packet. Council did not vote on item.
2. Approval of the Agenda for the Meeting on November 7, 2022.

Motion by Miller, second by Sanchez to approve the Agenda for the Meeting on November 7, 2022.

Motion carried by the following vote:

Ayes: Yamane, Valenzuela, Sendt, Sanchez, Miller, Castle

Noes: None
Abstain: None
Absent: Natividad

Motion approved.

ORAL COMMUNICATION: None.

PRESENTATIONS:

3. Legal Counsel Elizabeth Mitchell presented a PowerPoint presentation regarding legal requirements and the process for Planning Hearings.

CONTINUED PUBLIC HEARINGS: None.

PUBLIC HEARINGS:

4. Resolution taking action on a Conditional Use Permit for beer and wine sales (ABC Type-41) at an existing restaurant (Nigeria Breeze Restaurant) located at 925 East Plaza Boulevard Suite 106. (Case File No: 2022-29 CUP)

Presented by Planning Manager Martin Reeder.

Applicant representative, Anwar Spatafore, was present.

Commissioner Miller commented on condition number 10 stating that he would like the condition to specify which department would review the permit.

Planning Manager Martin Reeder responded stating that, if it would be made in a form of a motion-if approved, it can be changed.

Chair Yamane inquired if a security officer will need to be required.

Planning Manager Martin Reeder responded no.

Applicant representative, Anwar Spatafore, agreed to all conditions.

Motion by Sanchez, second by Castle to close Public Hearing Item no. 4.

Motion carried by the following vote:

Ayes: Yamane, Valenzuela, Sendt, Sanchez, Miller, Castle
Noes: None
Abstain: None
Absent: Natividad

Motion approved.

Motion by Miller, second by Valenzuela, to approve the Resolution taking action on a Conditional Use Permit for beer and wine sales (ABC Type-41) at an existing restaurant (Nigeria Breeze Restaurant) located at 925 East Plaza Boulevard Suite 106. (Case File No: 2022-29 CUP) with an amendment adding specificity on staff in charge of auditing.

Motion carried by the following vote:

Ayes: Yamane, Valenzuela, Sendt, Sanchez, Miller, Castle

Noes: None

Abstain: None

Absent: Natividad

Motion approved.

5. Resolution taking action on a Conditional Use Permit for off-sales beer and wine (ABC Type 20) at an existing convenience store (Real Star Market) located at 925 East Plaza Boulevard Suite 103. (Case File No: 2022-30 CUP)

Presented by Planning Manger Martin Reeder.

Applicant representative, Anwar Spatafore was present.

Commissioner Sendt inquired as to why the name was redacted from the Police Report.

Planning Manger Martin Reeder stated the reason for the redaction is due to personal information and based on direction from the City of removing personal information from any public record that goes out.

7:02p.m. Commissioner Sendt lost connection.

Commissioner Miller asked Counsel, due to the wrong police report that was given, would there still be a motion on the item.

Legal Counsel Elizabeth Mitchell replied yes and staff testimony can be taken into that affect.

7:04p.m. Commissioner Sendt returns.

Motion by Miller, second by Valenzuela to approve to close Public Hearing Item no. 5.

Motion carried by the following vote:

Ayes: Yamane, Valenzuela, Sendt, Sanchez, Miller, Castle

Noes: None

Abstain: None

Absent: Natividad

Motion approved.

Motion by Valenzuela, second by Miller to approve the Resolution taking action on a Conditional Use Permit for off-sales beer and wine (ABC Type 20) at an existing convenience store (Real Star Market) located at 925 East Plaza Boulevard Suite 103. (Case File No: 2022-30 CUP)

Motion carried by the following vote:

Ayes: Yamane, Valenzuela, Sendt, Sanchez, Miller, Castle

Noes: None

Abstain: None

Absent: Natividad

Motion approved.

6. Resolution taking action on a Code Amendment Amending Title 18 (Zoning) of the National City Municipal Code to create an Interim Use Ordinance related to the use of nonconforming buildings within the City. (Case File No: 2002-28 A)

Presented by Planning Manger Martin Reeder.

Public Speaker, Andrew Malick commented that it is a fundamental importance in order to obtain more investment into the community. Malick suggested rather than 3-year initial period, change to 5 years with extensions after.

Commissioner Miller asked staff if the ordinance would have come forward had it not been due to COVID-19 Pandemic.

Planning Manager Martin Reeder replied that it would have due to dealing with these issues for some time.

Commissioner Miler asked if an existing non-conforming building would be allowed to expand.

Planning Manager Martin Reeder replied that the intent is for no expansion.

Commissioner Miller asked to have the ordinance revised.

Commissioner Sanchez is fond of the potential expansion. Commissioner Sanchez asked how the building code would be implemented and expansion.

Planning Manager Martin Reeder replied that applicants comply with code.

Motion by Valenzuela, second by Castle to approve to close Public Hearing Item no. 6.

Motion carried by the following vote:

Ayes: Yamane, Valenzuela, Sendt, Sanchez, Miller, Castle

Noes: None

Abstain: None

Absent: Natividad

Motion approved.

Commissioner Miller invited discussion in regard to set a sunset clause to null and void.

Commissioner Castle recommends a 5-year initial with yearly-annual for 2 years and at 7 years to go back to Planning Commission with a 15-year sunset clause and no expansion clause.

Motion by Castle, second by Miller to approve resolution taking action on a Code Amendment Amending Title 18 (Zoning) of the National City Municipal Code to create an Interim Use Ordinance related to the use of nonconforming buildings within the City. (Case File No: 2002-28 A) with the necessary revision as stated by Commissioner Castle.

Motion carried by the following vote:

Ayes: Yamane, Valenzuela, Sendt, Sanchez, Miller, Castle

Noes: None

Abstain: None

Absent: Natividad

Motion approved.

OTHER BUSINESS:

7. Request for direction on virtual or physical attendance for future Planning Commission meetings.

Presented by Planning Manger Martin Reeder.

Legal Counsel Elizabeth Mitchell states that the Brown Act requires meetings to be open to the public.

Motion by Yamane, second by Sanchez to recommend to City Council that Planning continues to meet remotely until March 6, 2023, provided City Council can make the required findings under AB 361.

Motion carried by the following vote:

Ayes: Yamane, Valenzuela, Sendt, Sanchez, Miller, Castle

Noes: None

Abstain: None

Absent: Natividad

Motion approved.

STAFF REPORTS:

Legal Counsel: None.

Director of Community Development: None.

Planning Manager: Martin Reeder shows appreciation for another productive meeting and lets the Planning Commissioners know about an upcoming Planning Commissioners Academy provided by the California League of Cities in 2023. Martin Reeder lastly welcomes and introduces Adan Pacheco, Planning Technician.

Planning Technician: States his excitement to meet everyone and appreciates Planning Manager Martin Reeder's knowledge.

COMMISSIONER REPORTS:

Castle: None

Miller: Encourages everyone to vote.

Sanchez: Shows appreciation to staff and council. Ask council for information in regard to Brown Act keeping Planning Commission remote.

Sendt: Request Planning Manager Martin to talk after meeting and expresses encouragement to vote.

Valenzuela: None.

Yamane: Encourages everyone to vote.

ADJOURNMENT by Chair Yamane at 8:10 p.m. to the meeting of November 7, 2022.



CHAIRPERSON

The foregoing minutes were approved at the Regular Meeting of December 5, 2022.