

From: [Ted Godshalk](#)
To: [Planning Commission](#)
Cc: [Luz Molina](#); [Ron Morrison](#)
Subject: Public comment for item 4 of the August 8, 2023 Planning Commission Meeting from Mr. Ted Godshalk
Date: Monday, August 7, 2023 2:42:17 PM

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Commissioners,

I would like to address the issue of Item #4, but first I must comment on the general topics of tonight's meeting.

First, the agenda was not posted in a complete manner with enough notice to fully vet the issues, do research, and make informed comments. This must be corrected and must be emphasized to city staff. The agenda must hit the Thursday deadline for every meeting. The benefit to you of receiving the full agenda before the weekend is that you can study the issues and check for complete applications. You can come the meeting with good questions. This also helps the public for the same reasons.

Also, you must insist that staff not redact the names and addresses of the applicants on the agenda. We deserve to know who is asking for permission to do business in our city.

Next, the issue numbered 3 tonight deals with housing. We can all agree that California needs more housing. You have worked hard on the Focused General Plan to make the commitment to add density to our city's neighborhoods. That has a cost to those already living there. It is contradictory to accept a plan for ten homes in the county and annex the land to our city. This project for ten homes is not in the city, requires more vehicle trips, and has a larger environmental footprint. That is the definition of "urban sprawl."

Your work is difficult and calls for much insight. Please do research on the effects of sprawl and the concessions those of who live in the inner city core have to make to provide more housing. We have accepted the traffic congestion, air pollution, and crowded living conditions associated with "smart growth," while planners continue to allow sprawl. Ask about benefits and tradeoffs? Ask if we are operating under a hypocritical urban planning system?

On the issue #4 and the CUP for alcohol sales at Plaza Bonita, I request that you deny the applicant based on the alcohol outlet oversaturation of the census tract. Plaza Bonita's owners will try to fill their mall with any business that will pay the rent. They submitted the last couple of applications knowing that the situation was already over the normal limit. They will do it again if you approve this one.

This restaurant and the others like it are not neighborhood serving establishments. Smart planning would call for neighborhoods with all services within a five minute walk. Plaza Bonita is outside of most neighborhoods' radius, even with the new item #3 homes in close proximity. Smart planning does not encourage drinking and driving, yet this restaurant and the others at the mall do just that.

You need to follow earlier Planning Commissions that have said no to the expansion of alcohol outlets past the saturation point. You need to direct the Planning staff, the City Manager, and the City Council to not send any more of these types of applications to you. You need to ask the City manager to send a letter to the manager and owners of Plaza Bonita to stop approving these tenants. If Plaza Bonita needs anything it is condominium housing over the great expanse of parking that it currently has.

Thank you,
Ted Godshalk

Sarah Esendencia

From: Joan Rincon [REDACTED]
Sent: Monday, August 7, 2023 11:36 AM
To: David Welch
Cc: Martin Reeder
Subject: Aug 7 Planning Comm, Item #4, CUP for Manna

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David,

It always amazes me how people can put together restaurant ideas, raise hundreds of thousands of dollars in financing, do complicated suite build-outs and still not have their paperwork consistency together. But they do.

In this case, the owner is confirmed to be MN BP Inc.

However, the business name is all balled up.

On your application form, they apparently put Manna BBQ.

Then on the door of the restaurant (per your photo) it says Manna Shabu and BBQ.

But when I check the County Fictitious Name database, the only name they have a registration for is Manna Heaven.

And now comes a fourth name, and probably the one you want to rely on because.....

<https://www.abc.ca.gov/licensing/license-lookup/single-license/?RPTTYPE=12&LICENSE=638567>

.....it's the one they are using for their ABC Type 41 application, pending license #638567:

Manna Heaven BBQ.

You see, there are other restaurants and other ABC licensees named Manna BBQ. And it looks like Mr. Yeo wanted to distinguish himself from these for reasons.

So I would ask that before the Resolution and other paperwork on this matter is finalized, we get the name in the form it SHOULD be in, whatever the Commission determines that to be after thinking it over. To me, it looks like what should be happening is using Manna Heaven BBQ because that is what ABC has relied upon, and then Mr. Yeo can file an additional FBN under that precise name to complete doing things properly.

-Joan Rincon



August 17, 2023

Via Email c/o [REDACTED]

National City Planning Commission
c/o Richard Miller
Planning Commission Chair
City of National City
1243 National City Boulevard,
National City, CA 91950-4301

RE: August 21, 2023 Planning Commission Hearing Item 6, Case File No. 2021-14-GPA: The City Must Select the Alternative Site under the SPEIR of the FGPU to Avoid Placing Housing Immediately Adjacent to the Freeway and Comply with CEQA

Dear Chair Martin and Planning Commissioners,

My firm represents the Webster Trust, owners of the property located at 121 E. 27th Street, National City, CA 91950 (“Property”). The Property is identified, with two other adjacent properties under separate ownership, as the Alternate Project Location Alternative (“APLA” or “Alternative Site”) and the Environmentally Superior Alternative in the Supplemental Program Environmental Impact Report (“SPEIR”) for National City’s Focused General Plan Update (“FGPU”).

The APLA allows the City to select alternate sites in its FGPU that will yield more density in a transit-rich location well away from the Interstate 5 (“I-5”) freeway, thereby reducing air quality and health risk impacts to future families and children. The APLA also places housing near jobs, a high school and converts an area used for commercial and industrial use to residential within the Olivewood Neighborhood.

We are pleased to see staff recommend the Planning Commission recommend the City Council select the Alternative Site under the SPEIR of the FGPU.

I. Property History

The Property, and the properties across A Street at 2601 and 2701 National City Boulevard, National City, CA 91950 (“Dealership Lots”), have been owned by the Webster family since the 1940s. George Webster and his family are proud of their long history with the City of National City and the Mile of Cars Way. The Dealership Lots were the site of the first Subaru dealership in the nation and Webster Pontiac. Over the years, the Property served as a secondary, undeveloped parcel for use by the Dealership Lots. Contrary to the Property’s historic use, the Property is located in the Olivewood Neighborhood and not in the Mile of Cars District.

The Property was used to store new car inventory from the Dealership Lots. The Webster family only used the Property as a parking lot; no building or structures exist on the site. The 1.86 acre site, surrounded by residential uses to the north, east and south is identified as a transitional block in the City’s 2021 Transit Oriented Development Overlay (“TODO”) study.

II. Description of the Alternative Site

A description of the Alternative Site is provided in Section 3.4.5.1 of the Final SPEIR.

The Alternate Project Location Alternative would include all the same components as the Proposed Project: updates to the Land Use, Transportation, and Safety Elements and CAP, along with code and Specific Plan amendments. The sole difference between this alternative and the Proposed Project pertains to one Focus Area: the exclusion of the 24th Street Transit Station. This alternative would relocate density from the 24th Street Transit Station to a set of parcels (“Alternative Site”), which would be rezoned to High Density Multi-Unit Residential (RM-2) (see Figure 3.4-1 and Figure 3.4-2, outlined in blue). The Alternative Site is composed of a set of parcels between A Avenue, E 26th Street, E 27th Street, and D Avenue.

The Final SPEIR Section 3.4.5.1 states that the City would net an additional 119 dwelling units under the Alternative Site as compared to the Proposed Project, but would see a reduction of 87,705 square feet of commercial space. This reduction would stem from this location being rezoned from commercial uses to RM-2 which only allows residential uses.

The Final SPEIR states that “the Alternative Site was selected as a replacement for the 24th Street Transit Station Focus Area to reduce potential air quality and noise impacts to residential uses near the Interstate 5 (I-5) corridor.” The rationale provided is that “The Alternative Site is located approximately 2,400 feet (0.4 miles) from the I-5 corridor (as the crow flies), as compared to the 24th Street Transit Station Focus Area, which is approximately less than 200 feet from the edge of parcel to the nearest off-ramp (as the crow flies).” See Final SPEIR Section 3.4.5.1.

III. Alternative Site Is Superior Redevelopment Site than 24 St. Station

From both a practical and a planning perspective, the Alternative Site is a superior site because it offers more immediate benefits to the City of National City.

1. If rezoned RM-2, the Alternative Site would be consistent with the existing residential to the north, east, and south, including other RM-2 zones. The 24 St. Station site would be a residential mixed use surrounded by commercial and industrial uses.
2. The Alternative Site is in a Transit Priority Area and within walking and bike riding distance to jobs, schools, retail/restaurants, and transit stops, including the 24th Street Station.
3. Reduces vehicle miles traveled and greenhouse gas emissions compared to residential dwellings outside of Transit Priority Areas.
4. Provides important and additional housing options for current and future National City residents. Property has been studied for redevelopment with proformas created that support market rate and on-site affordable one, two and three bedroom apartments. The Alternative Site will provide approximately 119 more residential units than the 24 Street Station. It is unknown what type or mix of housing may be built at the 24th Street Station.
5. Property is “clean” with no known environmental contaminants or hazardous waste issues; property has no structures and is large and can be redeveloped now. 24th Street Station has prior known environmental issues; would still need to go through Metropolitan Transit System’s redevelopment process; only a portion of the property may be redeveloped with housing; and, there is an existing long-term lease on the property.
6. The Alternative Site does not expose future residents to significant air quality health risks from toxic air contaminants such as Diesel Particulate Matter (DPM) associated with freeway pollution. 24th Street Station does expose residents to significant air pollution due to being located within 200 feet of the centerline of the I-5 freeway.

7. Alternative Site offers higher quality of life and amenities with no freeway noise; near Mile of Cars Way employment/retail/restaurants; near schools and transit; and in a residential neighborhood.

The positive attributes of the Alternative Site also better align with many of the City's proposed FGPU land use policies including:

1. Supporting the City's Climate Action Plan and other sustainability goals by encouraging high density development in Transit Priority Areas.
2. Prioritizing increasing housing in areas that have access to transit and resources.
3. Promoting the development of housing near employment, recreation, public services, shopping, transit, and active transportation facilities.
4. Encourage and incentivize strategic adaptive reuse and infill development of vacant land in commercial and mixed-use areas.

IV. Under CEQA the Alternative Site Must be Chosen

Under the California Environmental Quality Act ("CEQA"), the City must chose the Alternative Site, instead of the Project, because the Alternative Site is a feasible alternative that meets the project objectives and would lessen significant environmental effects. CA Public Resource Code Section 21002 and CEQA Guidelines Section 15021.

The City's environmental documents state that the Alternative Site has been determined to: i) meet all project objectives; ii) reduce unavoidable significant impact to less than significant (i.e., Impact AQ-4); and, iii) is considered feasible. Since it meets all of these criteria, if the City does not choose the Alternative Site, it will be in violation of CEQA and site housing for families immediately adjacent to the freeway in violation of the City's General Plan.

A. The Alternative Site Meets All Project Objectives

As indicated under Final SPEIR Section 3.4.5.2, *Objectives*, "The Alternate [Project] Location Alternative would meet all of the objectives of the Proposed Project, as the differences between the two are minor..." Contrary to the vague claim on page 29 of the Findings, approval of the Alternative Site would not "incrementally reduc[e] transit-oriented development in the City". Rather, if approved and implemented, the Alternative

Site would net more housing units within a transit priority area than the 24th Street Focus Area rezone; thus increasing transit oriented development.

Specifically, the Alternative Site is situated only two blocks from 24th Street. 24th Street is an Arterial/Collector roadway 8, with MTS Bus routes 932 (north/south) and 961 (east/west) located on 24th Street and located less than one quarter of a mile from the Alternative Site. At this short distance, walking to either of these transit stops is estimated at four minutes and biking is estimated at only one minute.

Moreover, the Alternative Site is less than a 15-minute walk from the 24th Street Transit Station and only a four-minute bike ride. As such, the Final SPEIR is incorrect in identifying the Alternative Site as “incrementally reducing transit-oriented development in the City” because the project site is within easy walking and bike riding distance to several major transit stops, including the 24th Street Transit Station and would provide more housing in proximity to these major transit stops than the Proposed Project.

B. The Alternative Site Reduces Unavoidable Significant Impacts to Less than Significant

i. Air Quality

Final SPEIR Section 3.3.7.2, Mobile Sources, states:

The FGPU zoning designations for parcels within 500 feet of I-5 are generally Industrial and Commercial/Industrial. Parcels with a residential Specific Plan zoning designation that are entirely or partially within 500 feet of I-5 include the Focus Area 24th Street Transit Station. Therefore, future development consistent with FGPU may result in the exposure of sensitive receptors to substantial DPM concentrations from mobile sources. Impacts of the FGPU relative to DPM exposure would be *significant*. (Impact AQ-4).[¹]

The Findings state that “sensitive receptors within 500 feet of I-5 are likely to be subject to substantial diesel particulate matter concentrations from mobile sources.”

The 500-foot threshold is based on California Air Resource Board’s Air Quality and

¹ Impact AQ-4 is mistakenly referenced as Impact AQ-3 in other locations within the Final SPEIR, including within the Air Quality Section and the Executive Summary.

Land Use Handbook: A Community Health Perspective. The Findings continue by stating that “[s]ince the Alternative Project Location Alternative would move density from the 24th Street Transit Center Focus Area away from this range of the I-5, it would result in less air quality impacts to sensitive receptors.” Final SPEIR Findings p. 28.

The City has identified that development of the 24th Street Transit Station will result in significant impacts to air quality. Conversely, the Final SPEIR states that the Alternative Site will reduce such impacts:

The Alternate Project Location Alternative would incrementally reduce the project’s significant impacts requiring mitigation associated with air quality emissions on sensitive receptors and would have less impacts in conflicting with land use plans, policies, and regulations, and in ambient noise impacts compared to the FPGU.

See Final SPEIR p. 28. However, classifying the reduction as “incremental” is incorrect and misleading. A more accurate way to characterize the reduced impact is to state that the Alternative Site, situated over 2,500 feet away from I-5, is outside the area considered to be hazardous to human health. The Final SPEIR identifies the 24th Street Focus Area as the only location proposing residential within 500 feet of the I-5. Consequently, the reduction to Impact AQ-4 is not simply incremental as characterized in the Final SPEIR and the associated Findings but, would be avoided entirely if the Alternative Site is selected and approved by the City. Therefore, the Alternative Site would avoid the significant and unavoidable impact associated with Impact AQ-4 (i.e., health impacts from toxic air contaminants) that would occur if the 24th Street Focus Area is rezoned and developed with residential uses.

ii. Land Use and Planning Impacts

In addition, the Findings indicate on page 28 that “[t]he Alternative would result in incrementally less impacts relating to consistency with local policies since it would not propose new residential development within 500 feet of the centerline of a freeway since the 24th Street Transit Center Focus Area of the Proposed Project would be

replaced by the Alternate Site.” Therefore, selection of the Alternative Site is consistent with Adopted General Plan Policy HEJ-2.3.

Again, the use of “incremental” is misleading. By avoiding placement of sensitive receptors within 500 feet of the I-5, the Alternative Site is entirely consistent with General Plan Policy HEJ-2.3.² As such, the Alternative Site completely avoids the significant environmental impact resulting from a conflict with a General Plan policy.

iii. Noise Impacts

Finally, the Final SPEIR and the Findings state that

[t]he Alternative would also have an incremental reduction in ambient noise impacts to sensitive receptors compared to the Proposed Project due to the location of the Alternate Site since freeways are sources of sustained vehicular noise that contributes to the ambient noise environment.

See Final SPEIR Findings p. 28. As such, the Alternative Site would lessen the impact associated with Impact NOI-2 due to the distance added between freeway noise and sensitive receptors. As stated repeatedly in the Final SPEIR and Findings, the Alternative Site meets all project objectives; avoids significant Impact AQ-4; avoids a conflict with Adopted General Plan Policy HEJ-2.3,³ and further reduces significant but mitigable impacts from mobile noise sources.

² The adopted Health and Environmental Justice Element Policy HEJ-2.3 in the General Plan calls for the avoidance of “siting new sensitive land uses within 500 feet from the centerline of a freeway, unless such development contributes to smart growth, open space, or transit-oriented goals, in which case the development shall include feasible measures such as separation/setbacks, landscaping, barriers, ventilation systems, air filters/cleaners, and/or other effective measures to minimize potential impacts from air pollution”. (See Final SPEIR Chapter 2, CEQA Compliance Recommendations Regarding Final SPEIR and APL Alternative Responses to Comments, Response to Comment KG-2.)

³ State CEQA Guidelines Appendix G, Environmental Checklist Form, Section XI, Land Use and Planning, part b. “Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?” The answer to this question is yes because the proposed project would not avoid siting new sensitive land uses (i.e. residential dwellings) within 500 feet from the centerline of the a freeway (i.e. HEJ-2.3) and the result is a significant and unavoidable impact on human health (i.e., exposure of sensitive receptors to levels of toxic air contaminants that would exceed adopted thresholds).

C. Alternative Site is Feasible

The City, in its Findings p. 29 states:

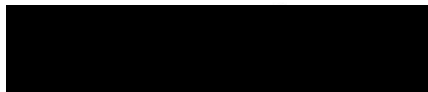
that the alternatives presented and considered in the Final EIR constitute a reasonable range of alternatives necessary that would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project to permit a reasoned choice among the options available to the City and/or project proponent.

The City has thus found that both the No Project, and the Alternative Site, are feasible and may be implemented if approved. Additionally, for clarification purposes, it is important to note that under CEQA, not only does the Alternative Site “feasibly attain most of the basic project objectives of the project”, but the City admits and states repeatedly throughout the SPEIR that the Alternative Site attains **all** project objectives. See Final SPEIR p. 29. Therefore, the Alternative Site is a feasible alternative to the Proposed Project and can be implemented if approved.

IV. Conclusion

We request the Planning Commission recommend the City Council select the Alternative Site under the SPEIR of the FGPU to avoid placing housing immediately adjacent to the freeway and comply with CEQA.

Sincerely,



CYNTHIA MORGAN-REED

Cc: Carlos Aguirre, Director of Housing
Ben Martinez, Acting Director of Community Development
Scott Huth, Interim Deputy City Manager
Martin Reeder, Planning Manager

Good Evening Chair and Commissioners,

My name is Kelsey Genesi and I am the National City Policy Advocate at Environmental Health Coalition.

National City, specifically the Westside, is already over exposed to pollution causing various health issues including asthma, low birth weight, and other respiratory issues. Therefore, any future housing that is being considered as part of the FGPU must consider the pollution resulting from and caused by development, and implement mitigations to address increasing pollution and the air quality in National City – specifically the Westside where communities are already overburdened with pollution. Today, as you prepare to send your final recommendation to City Council to adopt the rezoning of parcels within focus areas of the Alternate Project Location we hope you will take into consideration the following:

We support a site that will have minimal environmental impacts, and where there are environmental impacts that will affect residents, necessary mitigations must be implemented. These include mitigations outlined in our comment letter including but not limited to:

- Site apartment units as far as possible from the source of air pollution.
- Double glaze all windows in the housing units to reduce exposure to air pollution.
- Avoid or limit the placement of balconies on the side of the building facing the freeway/high volume roadway.
- Plant additional trees on neighborhood streets surrounding the housing development to further mitigate air pollution.

Finally, we recognize the importance of affordable housing in National City and support development with a commitment to affordable housing units that will directly benefit National City residents. We have seen the community benefit from the Paradise Creek Apartments and know that more affordable housing will be an asset to the community. The development of affordable housing is a significant step in addressing the housing concerns in National City and in the region.

Therefore we request that any future development take into concern its environmental impact with the necessary mitigations in place, and a commitment to more affordable housing.

Thank you for your time and consideration.