



## AGENDA

### Regular Planning Commission Meeting

Monday, November 4, 2024 at 6:00 P.M.

Council Chamber, City Hall

1243 National City Boulevard, National City CA 91950

---

*Richard Martin Miller, Chair*

*Randi Marie Castle, Vice-Chair*

*Claudia E. Valenzuela, Commissioner*

*Ricardo Sanchez, Commissioner*

*Liliana Armenta, Commissioner*

*Pearl Quinones, Commissioner*

*Beryl Forman, Commissioner*

*Asblin Y. Lutes, Deputy City Attorney*

*Carlos Aguirre, Director of Community Development*

*Martin Reeder, Assistant Director of Community Development*

*Sophia Depew, Assistant Planner*

*Sarah Esendencia, Executive Secretary*

---

Thank you for participating in local government and the City of National Planning Commission Meetings.

**Meetings:** Regular Planning Commission Meetings are held on the first and third Mondays of the month at 6:00 p.m. Special Closed Session Meeting and Workshops may be same day, the start time is based on needs. Check Special Agendas for times.

**Location:** Regular Planning Commission Meetings are held in the Council Chamber located at City Hall, 1243 National City Boulevard, National City, CA 91950, the meetings are open to the public.

**Agendas and Material:** [Agendas and Agenda Packet](#) for items listed are available on the City website, and distributed to the Planning Commission no less than 72 hours prior to the Planning Commission Meeting. Sign up for [E-Notifications](#) to receive alerts when items are posted.

**Public Participation:** Encouraged in a number of ways as described below. Members of the public may attend the Planning Commission Meeting in person, watch the Planning Commission Meeting via [live](#) web stream, or participate remotely via Zoom. [Recording of Meetings](#) are archived and available for viewing on the City's website.

**Public Comment:** Persons wishing to address the Planning Commission on matters not on the agenda may do so under Public Comments. Those wishing to speak on items on the agenda may do so when the item is being considered. Please submit a Speaker's Slip to the Executive Secretary prior to the meeting or immediately following the announcement of the item. All comments will be limited up to three (3) minutes. The Presiding Officer shall have the authority to reduce the time allotted to accommodate for a large number of speakers. (*City Council Policy 104*)

If you wish to submit written comment [email](#) to the Planning Commission Secretary at least 4 hours prior to the Planning Commission Meeting to allow time for distribution to the Planning Commission.

**American Disabilities Act Title II:** In compliance with the American Disabilities Act (ADA) of 1990, persons with a disability may request an agenda in appropriate alternative formats as required by Title II. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the Planning Department, Sarah Esendencia (619) 336-4227 at least 24 hours in advance of the meeting.



## AGENDA

### Regular Planning Commission Meeting

Monday, November 4, 2024 at 6:00 P.M.

Council Chamber, City Hall

1243 National City Boulevard, National City CA 91950

---

Gracias por participar en las reuniones del gobierno local y del Consejo de la Ciudad de National City.

**Reuniones:** Las reuniones regulares del Comisión de Planificación se llevan a cabo el primer y tercer martes del mes a las 6:00 p.m. La reunión especial de sesión privada y los talleres pueden ser el mismo día, la hora de inicio se basa en las necesidades. Consulte las agendas especiales para conocer los horarios.

**Ubicación:** Las reuniones regulares del Comisión de Planificación se llevan a cabo en la Cámara del Consejo ubicada en el Ayuntamiento, 1243 National City Boulevard, National City, CA 91950, las reuniones están abiertas al público.

**Agendas y Material:** Las Agendas y el Paquete de Agenda para los temas enumerados están disponibles en el sitio web de la Ciudad y se distribuyen al Comisión de Planificación no menos de 72 horas antes de la Reunión del Concejo Municipal. Regístrese para recibir notificaciones electrónicas cuando se publiquen artículos.

**Participación pública:** Se fomenta de varias maneras como se describe a continuación. Los miembros del público pueden asistir a la Reunión del Comisión de Planificación en persona, ver la Reunión del Concejo Municipal a través de la transmisión web en vivo o participar de forma remota a través de Zoom. Las grabaciones de las reuniones están archivadas y disponibles para su visualización en el sitio web de la Ciudad.

**Comentario Público:** Las personas que deseen dirigirse al Comisión de Planificación sobre asuntos que no están en la agenda pueden hacerlo bajo Comentarios públicos. Quienes deseen hacer uso de la palabra sobre los temas del programa podrán hacerlo cuando se esté examinando el tema. Por favor, envíe una solicitud del orador al Secretario de la Ciudad antes de la reunión o inmediatamente después del anuncio del artículo. Todos los comentarios estarán limitados a tres (3) minutos. El Presidente tendrá la autoridad para reducir el tiempo asignado para dar cabida a un gran número de oradores. (Política del Concejo Municipal 104)

Si desea enviar comentarios por escrito, envíe un correo electrónico a la Oficina del Secretario de la Ciudad al menos 2 horas antes de la Reunión del Comisión de Planificación para dar tiempo a la distribución al Consejo Municipal.

**Servicios de interpretación en español:** Los servicios de interpretación en español están disponibles, comuníquese con el Secretario de la Ciudad antes del inicio de la reunión para obtener ayuda.

**Título II de la Ley de Discapacidades Americanas:** En cumplimiento con la Ley de Discapacidades Americanas de 1990, las personas con discapacidad pueden solicitar una agenda en formatos alternativos apropiados según lo requerido por el Título II. Cualquier persona con una discapacidad que requiera un modificación o adaptación para participar en una reunión debe dirigir dicha solicitud a la Oficina del Secretario de la Ciudad (619) 336-4228 al menos 24 horas antes de la reunión.



# AGENDA

## Regular Planning Commission Meeting

Monday, November 4, 2024 at 6:00 P.M.

Council Chamber, City Hall

1243 National City Boulevard, National City CA 91950

---

### ROLL CALL

### PUBLIC COMMENT (Limited up to three (3) minutes)

In accordance with State law, an item not scheduled on the agenda may be brought forward by the general public for comment; however, the Planning Commissioners will not be able to discuss or take action on any issue not included on the agenda. Speakers will have up to three (3) minutes.

### APPROVAL OF AGENDA

1. Approval of the Agenda for the Meeting on November 4, 2024

### APPROVAL OF MINUTES OF PREVIOUS MEETING

2. Approval of Minutes from the Meeting of October 7, 2024

### PUBLIC HEARINGS

3. Determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) under Class 1 of the CEQA guidelines Section 15301 (Existing Facilities) and Conditional Use Permit for beer and wine sales (ABC Type-41) at an existing restaurant (Mr. Pulpo Seafood) located at 831 E 8<sup>th</sup> Street Case File No.: 2024-20 CUP APN: 556-414-09-00.
4. Determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) under Class 1 of the CEQA guidelines Section 15301 (Existing Facilities) and Conditional Use Permit modification for beer and wine sales (ABC Type-41) at a new restaurant (Tacos El Franc) located at 3030 Plaza Bonita Road, Suite 1108 Case File No.: 2024-14 CUP APN: 564-471-07-00.

### OTHER BUSINESS

5. Adoption of 2025 Meeting Dates
6. Election of 2025 Officers

### ADJOURNMENT

Adjournment to the regularly scheduled meeting on November 18, 2024 at 6:00 p.m.



# AGENDA

## Regular Planning Commission Meeting

Monday, November 4, 2024 at 6:00 P.M.

Council Chamber, City Hall

1243 National City Boulevard, National City CA 91950

---

AFFIDAVIT OF POSTING

MEETING AGENDA

STATE OF CALIFORNIA)  
COUNTY OF SAN DIEGO) SS  
CITY OF NATIONAL CITY)

I, Sarah Esendencia, Executive Secretary of the City of National City, hereby declare under penalty of perjury that a copy of the above Agenda of the Regular Meeting of the Planning Commission of the City of national City, California, was delivered and/or notice by email no less than 72 hours, before the hour of 6:00 p.m. on November 4, 2024, to the members of the Planning Commission, and caused the agenda to be posted on the City's website at [www.nationalcityca.gov](http://www.nationalcityca.gov) and at National City Hall, 1243 National City Blvd., National City, California 91950.

/s/: Sarah Esendencia

Sarah Esendencia, Executive Secretary



## Planning Commission Minutes

Regular Planning Commission  
Meeting of October 7, 2024

### **IN PERSON AND ONLINE 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.

### **CALL TO ORDER**

A Regular Meeting of the Planning Commission of the City of National City was called to order at 6:00 p.m. via teleconference and in the Council Chamber, located in City Hall, 1243 National City Boulevard, National City, California.

### **ROLL CALL**

Commissioners Present: Valenzuela, Sanchez, Miller, Forman, Castle, Armenta.

Commissioners Absent: Quinones.

Staff Also Present: Director of Community Development Carlos Aguirre, Associate Planner David Welch, Assistant Planner Sophia Depew, Deputy City Attorney Ashlin Y. Lutes, Executive Secretary Sarah Esendencia, and Sergeant Joseph Camacho.

### **PLEDGE OF ALLEGIANCE**

Pledge of Allegiance by Commissioner Forman.

### **ROLL CALL**

1. Approval of Excused or Unexcused Absence of Commissioner Valenzuela from September 16, 2024 meeting.

Motion by Castle, second by Sanchez, to Excuse Commissioner Quinones from the September 16, 2024 Planning Commission Meeting.

**Motion carried by the following vote:**

**Ayes:** Sanchez, Miller, Forman, Castle, Armenta.

**Noes:** None.

**Abstain:** Valenzuela.

**Absent:** Quinones.

**Motion approved.**

- 2. Approval of Excused or Unexcused Absence of Commissioner Quinones from October 7, 2024 meeting.

Motion by Valenzuela, second by Sanchez, to Excuse Commissioner Quinones from the October 7, 2024 Planning Commission Meeting.

**Motion carried by the following vote:**

**Ayes:** Valenzuela, Sanchez, Miller, Forman, Castle, Armenta.

**Noes:** None.

**Abstain:** None.

**Absent:** Quinones.

**Motion approved.**

**APPROVAL OF AGENDA**

- 3. Approval of Agenda for the Regular Planning Commission Meeting on October 7, 2024.

Motion by Castle, second by Armenta, to approve the agenda.

**Motion carried by the following vote:**

**Ayes:** Valenzuela, Sanchez, Miller, Forman, Castle, Armenta.

**Noes:** None.

**Abstain:** None.

**Absent:** Quinones.

**Motion approved.**

## APPROVAL OF MINUTES

4. Approval of Minutes for the Regular Planning Commission Meeting of September 16, 202 with the addition of 25 miles per hour traffic comment being mentioned for the school that is being developed on National City Boulevard.

Motion by Forman, second by Castle, to approve the minutes.

### **Motion carried by the following vote:**

**Ayes:** Sanchez, Miller, Forman, Castle, Armenta.

**Noes:** None.

**Abstain:** Valenzuela.

**Absent:** Quinones.

### **Motion approved.**

## PUBLIC HEARINGS

5. Determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) under Class 7 of the CEQA guidelines Section 15301 (Existing Facilities and Conditional Use Permit for the sale of beer, wine, and distilled spirits (ABC Type-21) at an existing store (Manolo Farmers Market) located at 303 Highland Avenue.

Commissioner Armenta discloses that she shops at Manolo's regularly and did do a property inspection. States that she also talked to employees of Manolo.

Vice-Chair Castle discloses that she was at Manolo and that it is around the corner from her house. She states that she shops there all the time and recuses herself due to living within 500 ft.

Commissioner Sanchez discloses that he lives within 500 ft. and recuses himself.

6:12 p.m. Vice-Chair Castle and Commissioner Sanchez step down from the dais.

Assistant Planner, Sophia Depew made a PowerPoint presentation.

Representative Steve Mattia on behalf of Manolo and the manager of Manolo was present and answered questions the Commissioners and Public had.

Executive Secretary, Sarah Esendencia states for the record a Public Comment was received via email after 2 p.m.

Rita Nafsu made a public comment in opposition of the item.

Christian Kalastia opposes the item but did not make a public comment.

Carolyn Nichols made a public comment in opposition of the item.

Jason Lyons made a public comment in opposition of the item.

Luma Haddad made a public comment in opposition of the item.

Ladon Salcu opposes the item but did not make a public comment.

Matthew Nafsu opposes the item but did not make a public comment.

Salwan Nafsu made a public comment in opposition of the item.

Motion by Valenzuela, second by Armenta to close the Public Hearing.

**Motion carried by the following vote:**

**Ayes:** Valenzuela, Miller, Forman, Armenta.

**Noes:** None.

**Abstain:** None.

**Absent:** Quinones.

**Recuse:** Sanchez, Castle.

**Motion approved.**

Motion by Miller, second by Valenzuela, to adopt Resolution No. 2024-14, a Resolution of the Planning Commission of the City of National City determining that the project is categorically exempt from the California Environmental Quality Act (CEQA) under Class 1 of the CEQA guidelines section 15301 (Existing Facilities) and approving a Conditional Use Permit for the sale of beer, wine, and distilled spirits (ABC Type-21) at an existing grocery store (Manolo Farmers Market) located at 303 Highland Avenue.



Case File No.: 2024-11 CUP APN: 556-180-23-00 with a condition of approval of electronic verification to validate identification.

**Motion carried by the following vote:**

**Ayes:** Valenzuela, Miller, Forman, Armenta.

**Noes:** None.

**Abstain:** None.

**Absent:** Quinones.

**Recuse:** Sanchez, Castle.

**Motion approved.**

6. Determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) under Class 1 of the CEQA guidelines Section 15301 (Existing Facilities) and Conditional Use Permit for beer and wine sales (ABC Type-31) at an existing restaurant (La Malcriada Birreria) located at 1604 East 18<sup>th</sup> Street. Case File No.: 2024-11 CUP APN: 561-360-46-00.

Commissioner Armenta discloses that she did a site inspection and spoke to employees.

Commissioner Sanchez discloses that he has ate there in summer and enjoyed their tacos.

Chair Miller discloses that he has driven by the site.

Marco Polo Cortés consultant to the applicant was present to answer any questions the Commissioners and Public had.

Motion by Castle, second by Sanchez to close the Public Hearing.

**Motion carried by the following vote:**

**Ayes:** Valenzuela, Sanchez, Miller, Forman, Castle, Armenta.

**Noes:** None.

**Abstain:** None.

**Absent:** Quinones.

**Motion approved.**

Motion by Valenzuela, second by Sanchez, to adopt Resolution No. 2024-14, a Resolution of the Planning Commission of the City of National City, California determining that the project is categorically exempt from the California Environmental Quality Act (CEQA) under Class 1 of the CEQA guidelines Section 15301 (Existing Facilities) and approving a conditional use permit for beer and wine sales (ABC Type-41) at an existing restaurant (La Malcriada Birrieria) located at 1604 East 18<sup>th</sup> Street A & B. Case File No.: 2024-16 CUP APN: 561-360-46-00.

**Motion carried by the following vote:**

**Ayes:** Valenzuela, Sanchez, Miller, Forman, Castle, Armenta.  
**Noes:** None.  
**Abstain:** None.  
**Absent:** Quinones.

**Motion approved.**

- 7. Determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) under Class 32 of the CEQA guidelines Section 15332 (In-Fill Development Projects) and Tentative Parcel Map dividing one lot into two with a Zone Variance to deviate from set-back requirements on a property located at 1441 East 7<sup>th</sup> Street. Case File No.: 2023-09 LS ZV APN: 557-101-34-00.

Motion by Castle, second by Sanchez, to close the Public Hearing.

**Motion carried by the following vote:**

**Ayes:** Valenzuela, Sanchez, Miller, Forman, Castle, Armenta.  
**Noes:** None.  
**Abstain:** None.  
**Absent:** Quinones.

**Motion approved.**

Motion by Castle, second by Valenzuela to adopt Resolution No. 2024-16, a Resolution of the Planning Commission of the City of National City, California determining that the project is categorically exempt from the California Environmental Quality Act (CEQA) under Class 32 of the CEQA guidelines Section 15301 (In-Fill Development Projects) and tentative parcel map dividing one lot into two with a zone variance to deviate from set-back requirements on a property located at 1441 East 7<sup>th</sup> Street. Case File No.: 2023-09 LS ZV APN: 557-101-34-00.

**Motion carried by the following vote:**

**Ayes:** Valenzuela, Sanchez, Miller, Forman, Castle, Armenta.

**Noes:** None.

**Abstain:** None.

**Absent:** Quinones.

**Motion approved.**

#### **STAFF REPORTS:**

**Legal Council:** None.

**Director of Community Development:** Shows support for the Padres.

#### **COMMISSIONER REPORTS:**

**Vice-Chair Castle:** Sates that she had met with Building Official Samuel Marrinan and encourages the commissioners to make an appointment.

**Commissioner Valenzuela:** None.

**Commissioner Sanchez:** None.

**Commissioner Armenta:** Reminds the public that ballots are out and to go out and vote.

**Commissioner Quinones:** Absent.

**Commissioner Forman:** States that she was at the ribbon cutting celebration at Olive Gardens and Learning Center new green house.

**Chair Miller:** Ask the public to vote and the dead line is October 21. 2024.

#### **ADJOURNMENT**

Chair Miller adjourned to the Regular Meeting of the Planning Commission of the City of National City, Monday, October 21, 2024, at 6:00 p.m. in the Council Chamber, located in City Hall, 1243 National City Boulevard, National City, California.

The meeting adjourned at 7:39 p.m.

---

Sarah Esendencia, Executive Secretary

The foregoing minutes were approved at the Regular Meeting of November 4, 2024.

---

Martin Miller, Chair



COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION  
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

**PLANNING COMMISSION STAFF REPORT**

Title: PUBLIC HEARING – DETERMINATION THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER CLASS 1 OF THE CEQA GUIDELINES SECTION 15301 (EXISTING FACILITIES) AND CONDITIONAL USE PERMIT FOR BEER AND WINE SALES (ABC TYPE-41) AT AN EXISTING RESTAURANT (MR. PULPO SEAFOOD) LOCATED AT 831 EAST 8TH STREET.

Case File No.: 2024-20 CUP

Location: Northeast corner of Highland and East 8th Street

Assessor’s Parcel Nos.: 556-414-09-00

Staff report by: Sophia Depew, Assistant Planner

Applicant: Saida Gonzalez

Zoning designation: Major Mixed-Use Corridor (MXC-2)

Adjacent use and zoning:

- North: Multifamily Residential / MXC-2
- East: Commercial Retail, Nail Salon, Realty Office / MXC-2
- South: Express Gasoline, Burger King / MXC-2
- West: 7-Eleven / MXC-2

Environmental review: Categorically exempt from environmental review pursuant to Class 1, Section 15301 (Existing Facilities)

Staff recommendation: Approve

### Staff Recommendation

Staff recommends approval of the sale of on-site beer and wine, subject to the recommended conditions in the attached resolution and a determination that the project is exempt from CEQA. The sale of beer and wine is a conditionally-allowed use in the Major Mixed-Use Corridor zone and would be accessory to food sales at the restaurant.

### Executive Summary

The operator of Mr. Pulpo Seafood restaurant has applied for a California Department of Alcoholic Beverage Control (ABC) Type 41 license to offer on-site beer and wine sales. The applicant is proposing alcohol sales from 9:00 a.m. to 10:00 p.m. daily. No live entertainment is proposed.

### Site Characteristics

Mr. Pulpo Seafood is an existing restaurant located at the corner of E 8<sup>th</sup> Street and Highland Avenue within the Major Mixed-Use Corridor zone. The restaurant is 2,160 square feet in size, with approximately 1,160 square feet dedicated to dining area. The restaurant has 57 seats available in the dining area.

The previous tenant, Cabo Wabo Grill, had a Type 40 ABC license, which is given to bars and taverns that only sell beer. Mr. Pulpo Seafood has replaced the previous nonconforming use with a restaurant.

### Proposed Use

The business is proposing to sell on-site beer and wine (ABC Type 41) in conjunction with food sales in the restaurant. Restaurant operating hours and alcohol sales will be 9:00 a.m. to 10:00 p.m. daily. No live entertainment is proposed.

### Analysis

Section 18.30.050 of the Land Use Code allows for on-site alcohol sales with an approved Conditional Use Permit (CUP). Additional requirements for alcohol CUPs include expanded notification, a community meeting, and distance requirements. City Council Policy 707 also regulates alcohol sales in the city.

### Hours of Operation for Alcohol Sales

Conditions of approval for alcohol sales reflect what the applicant has requested (9:00 a.m. to 10:00 p.m. daily). The applicant has stated that the proposed hours

are the maximum that could be expected, depending on the future success of the business. Current hours are advertised as 9:00 a.m. to 7:00 p.m.

Mailing – All property owners and occupants within a distance of 660 feet are required to be notified of a public hearing for alcohol-related CUP applications. Notice of this public hearing was sent to 261 occupants and owners.

#### Comments

The Planning Division has not received any public comment as of the writing this report.

Community Meeting - Pursuant to Section 18.30.050 (C) of the National City Zoning Code, a community meeting was held on Tuesday, July 9, 2024 at 11:00 a.m. at the restaurant. The meeting advertisement is attached (Attachment 8). Based on the attached sign-in sheet, ten community members attended the meeting. The questions asked were related to the previous bar use, not the restaurant use with proposed alcohol sales.

Distance Requirements – Chapter 18.030.050 (D) of the Land Use Code (LUC) requires a 660-foot distance from any public school for restaurants serving alcohol. Restaurants with greater than 30% of their area devoted to seating are exempt from this distance requirement. The restaurant is not located within 660 feet of a school and approximately 50% of the floor area is devoted to seating.

#### Alcohol Sales Concentration/Location

According to the California Department of Alcoholic Beverage Control (ABC), there is one on-site license in census tract 118.02, where a maximum of nine are recommended. Therefore, the census tract is not considered to be over concentrated by ABC with regard to on-site alcohol sales outlets, even with the proposed license. Census Tract 118.02 is located east of Highland Avenue, north of East 8<sup>th</sup> Street, and west of Palm Avenue.

#### Police Department (PD)

The ABC Risk Assessment provided by PD allocated a total of 9 points, which places it in the Low Risk category (Low Risk is considered 12 or less points). The Risk Assessment is included as Attachment 6.

### Institute for Public Strategies (IPS)

Comments were received from IPS with the following considerations:

1. Require that staff, management, and owner attend an in-person Responsible Beverage Sales and Service training. See the California Alcoholic Beverage Control website for future trainings.
2. Require that litter be removed on a daily basis and graffiti abated within 24 hours.

Standard conditions of approval are included in the report in compliance with City Council Policy 707. IPS comments are included as Attachment 7. The application is for a restaurant use and the proposed alcohol sales are incidental to the primary use. Conditions of approval are included that restrict live entertainment.

### Findings for Approval

The following are the required findings in the attached draft resolution:

1. Allowable Use: Alcohol sales are allowable within Major Mixed-Use Corridor zone, pursuant to a CUP, and the proposed use meets the required guidelines in the Land Use Code for alcohol sales, as discussed in the staff report. The use is incidental to the existing restaurant use in a mixed-use area.
2. General Plan Consistency: Alcohol sales is a permitted use, subject to a CUP, by the Land Use Code, which is consistent with the General Plan. In addition, a restaurant with alcohol sales is consistent with the Major Mixed-Use Corridor zone land use designation and the Community Character element of the General Plan.
3. Compatibility, LUC, and Traffic: No expansion of the building is proposed. The proposal involves an existing commercial space, which was previously analyzed for traffic impacts when it was constructed. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints. The proposed uses would be incidental to the primary use of food service.
4. No Nuisance: The proposed use will be subject to conditions that limit the sale of beer and wine as well as the hours that it will be available. Beer and wine will only be available with the sale of food. In addition, all staff members



serving alcohol are required to receive RBSS training. There is no live entertainment proposed on site.

5. California Environmental Quality Act (CEQA): The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and has been determined to be categorically exempt from environmental review pursuant to Class 1, Section 15301 (Existing Facilities) for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit. The reason for the exemption is that the use is proposed within an existing commercial building, and the use is similar to other commercial uses in the area, which are permitted in Major Mixed-Use Corridor zone.
6. Public Convenience and Necessity: The restaurant, a permitted use in the Major Mixed-Use Corridor zone, will benefit from the sale of alcohol by providing for a wider diversity of businesses that add character to the area.

#### Findings for Denial

The following are findings for denial due to nearby businesses that sell beer and wine:

1. Granting the permit would constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because there is already a restaurant in census tract 118.02 that serves beer and wine.
2. The proposed use is not deemed essential to the public necessity, as there is already a restaurant in the same census tract that serve beer and wine.
3. Based on the above findings, public convenience and necessity will not be served by a proposed use of the property for the on-site sale of alcoholic beverages pursuant to law.

#### Conditions of Approval

Standard Conditions of Approval have been included with this permit as well as conditions specific to on-site alcohol sales per Council Policy 707 (hours of operation, employee training, and accessory sales, etc.).

### Summary

The proposed use is consistent with the General Plan due to alcohol sales for on-site consumption being a conditionally-allowed use in Major Mixed-Use Corridor zone. The proposed use would be incidental to the proposed restaurant use in a commercial area. The addition of on-site beer and wine sales is not expected to increase the demand for parking, other services on the property, or have any significant effects on the area. The census tract in which the restaurant is located is not considered over-concentrated with regard to on-sale alcohol licenses. Beer and wine will only be available with the sale of food and the Police Department has classified the establishment as Low Risk.

### Options

1. Find the project exempt from CEQA under Class 1 of the CEQA Guidelines Section 15301 or other exemption and approve 2024-20 CUP, subject to the conditions included in the Resolution, or other conditions, and based on the findings included in the Resolution, or other findings to be determined by the Planning Commission; or,
2. Find the project not exempt from CEQA and/or deny 2024-20 CUP based on the attached findings or findings to be determined by the Planning Commission; or,
3. Continue the item to a specific date in order to obtain additional information.

### Attachments

1. Draft Resolutions
2. Overhead
3. Applicant's Plans (Exhibit A, Case File No. 2024-20 CUP, dated 9/25/2024)
4. Public Hearing Notice (Sent to 261 property owners & occupants)
5. Census Tract & Police Beat Maps
6. Police Department Comments
7. IPS Comments
8. Community Meeting Information

RESOLUTION NO. 2024-17

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF NATIONAL CITY, CALIFORNIA DETERMINING THAT THE  
PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA  
ENVIRONMENTAL QUALITY ACT (CEQA) UNDER CLASS 1 OF THE CEQA  
GUIDELINES SECTION 15301 (EXISTING FACILITIES) AND  
APPROVING A CONDITIONAL USE PERMIT FOR BEER AND WINE SALES (ABC  
TYPE-41) AT AN EXISTING RESTAURANT (MR. PULPO SEAFOOD) LOCATED AT  
831 EAST 8TH STREET  
CASE FILE NO. 2024-20 CUP  
APN: 556-414-09-00

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit for beer and wine sales at an existing restaurant (Mr. Pulpo Seafood) located at 831 East 8th Street at a duly advertised public hearing held on November 4, 2024, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2024-20 CUP maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning Commission at the public hearing held on November 4, 2024, support the following findings:

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code, because the use is allowable within the Major Mixed-Use Corridor zone pursuant to a CUP and the proposed use meets the required guidelines in the Land Use Code for alcohol sales, as discussed in the staff report.
2. The proposed use is consistent with the General Plan and any applicable specific plan, because alcohol sales are permitted, subject to a CUP, by the Land Use Code, which is consistent with the General Plan. In addition, a restaurant with

alcohol sales is consistent with the Major Mixed-Use Corridor zone land use designation and the Community Character element of the General Plan.

3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, because no expansion of the building is proposed. The proposal involves an existing commercial space, which was previously analyzed for traffic impacts when it was constructed.
4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, because no expansion of the building is proposed. The proposed alcohol sales would be incidental to the primary use of food sales.
5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because the proposed use will be subject to conditions that limit the sale of beer and wine as well as the hours that it will be available. Beer and wine will only be available with the sale of food. In addition, all staff members serving alcohol are required to receive RBSS training.
6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and has been determined to be categorically exempt from environmental review pursuant to Class 1, Section 15301 (Existing Facilities) for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit. The reason for the exemption is that the use is proposed within an existing commercial building and the use is similar to other commercial uses in the area, which are permitted in permitted Major Mixed-Use Corridor zone.
7. The proposed use is deemed essential and desirable to the public convenience or necessity, because the restaurant, a permitted use in the Major Mixed-Use Corridor zone, will benefit from the sale of alcohol by providing for a wider diversity of businesses that add character to the area.
8. Based on findings 1 through 7 above, public convenience and necessity will be served by a proposed use of the property for the on-site sales of alcoholic beverages in accordance with applicable law and the recommended conditions. The use, as proposed and conditioned, will operate in harmony with surrounding

uses, will not cause a nuisance, and will benefit the community looking for a quality restaurant experience.

BE IT FURTHER RESOLVED that the application for a Conditional Use Permit is approved subject to the following conditions:

#### General

1. This Conditional Use Permit authorizes the sale of beer and wine for on-site consumption at an existing restaurant (Mr. Pulpo Seafood) located at 831 East 8th Street. Plans submitted for permits associated with this project shall conform to Exhibit A, Case File No. 2024-20 CUP, dated 9/25/2024.
2. Before this *Conditional Use Permit* shall become effective, the applicant and the property owner shall both sign and have notarized an Acceptance Form, provided by the Planning Division, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the *Conditional Use Permit*. The applicant or owner shall also submit evidence to the satisfaction of the Planning Division that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant or owner shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Conditional Use Permit* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Director of Community Development prior to recordation.
3. This permit shall become null and void at such time as there is no longer a Type 41 California Department of Alcoholic Beverage Control license associated with the property.
4. This permit shall become null and void if not exercised within one year after adoption of the resolution of approval unless extended according to procedures specified in the Municipal Code.
5. This permit shall expire if the use authorized by this resolution is discontinued for a period of 12 months or longer. This permit may also be revoked, pursuant to provisions of the Land Use Code, if discontinued for any lesser period of time.
6. This *Conditional Use Permit* may be revoked if the operator is found to be in violation of any Conditions of Approval.

## Planning

7. No alcohol sales and consumption practices shall be permitted until the applicant has been issued a Type 41 license from the California Department of Alcoholic Beverage Control.
8. All sellers of alcohol shall receive Responsible Beverage Service and Sales (RBSS) training, including all owners, and managers. The RBSS training must be certified by the Department of Alcoholic Beverage Control (ABC). Proof of completion of an approved RBSS program must be provided prior to issuance of a city business license. As part of the RBSS training, the permittee shall make available a domestic violence training session as provided by the Institute of Public Strategies.
9. The sale of alcoholic beverages shall only be permitted between the hours of 9:00 a.m. to 10:00 p.m. daily.
10. The sale of alcohol shall not exceed the sale of food. With the annual renewal of the City business license, the business proprietor shall submit a statement clearly indicating total alcoholic beverage sales and total food sales. Said statement shall be subject to audit and verification by employees of the City, who are authorized to examine, audit and inspect such books and records of the license, as may be necessary in their judgment to verify that the sale of alcohol does not exceed the sale of food. All information obtained by an investigation of records shall remain confidential.
11. Alcohol shall be available only in conjunction with the purchase of food.
12. The sale of alcoholic beverages for off-site consumption is not permitted at this location.
13. Litter shall be removed on site on a daily basis and graffiti abated within 24 hours.
14. No live entertainment is permitted without modification of this CUP or issuance of a Temporary Use Permit.
15. The operator of the business shall maintain an active business license and ensure that the business license is renewed annually.

## Police

16. The permittee shall comply with all applicable law, including, but not limited to the regulatory provisions of the Business and Professions Code that pertain to the sale, serving, and consumption of alcoholic beverages.

## Indemnification Agreement

The Applicant shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or

employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify the Applicant of any claim, action, or proceeding. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, the Applicant shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Applicant regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Applicant shall not be required to pay or perform any settlement unless such settlement is approved by the Applicant.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

BE IT FINALLY RESOLVED that this Resolution shall become effective and final on the day following the City Council meeting where the Planning Commission resolution is set for review, unless an appeal in writing is filed with the City Clerk prior to 5:00 p.m. on the day of that City Council meeting. The City Council may, at that meeting, appeal the decision of the Planning Commission and set the matter for public hearing.

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of November 4, 2024, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
CHAIRPERSON

RESOLUTION NO. 2024-17

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF NATIONAL CITY, CALIFORNIA  
DENYING A CONDITIONAL USE PERMIT FOR  
BEER AND WINE SALES AT AN EXISTING RESTAURANT (MR. PULPO SEAFOOD)  
LOCATED AT 831 EAST 8<sup>TH</sup> STREET.  
CASE FILE NO. 2024-20 CUP  
APN: 556-414-09-00

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit for beer and wine sales at an existing restaurant (Mr. Pulpo Seafood) located at 831 East 8th Street at a duly advertised public hearing held on November 4, 2024, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2024-20 CUP maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning Commission at the public hearing held on November 4, 2024 support the following findings:

1. Granting the permit would constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because there is already a restaurant in census tract 118.02 that serves beer and wine.
2. The proposed use is not deemed essential to the public necessity, as there is already a restaurant in the same census tract that serve beer and wine.
3. Based on the above findings, public convenience and necessity will not be served by a proposed use of the property for the on-site sale of alcoholic beverages pursuant to law.



BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

BE IT FINALLY RESOLVED that this Resolution shall become effective and final on the day following the City Council meeting where the Planning Commission resolution is set for review, unless an appeal in writing is filed with the City Clerk prior to 5:00 p.m. on the day of that City Council meeting. The City Council may, at that meeting, appeal the decision of the Planning Commission and set the matter for public hearing.

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of November 4, 2024, by the following vote:

AYES:

NAYS:

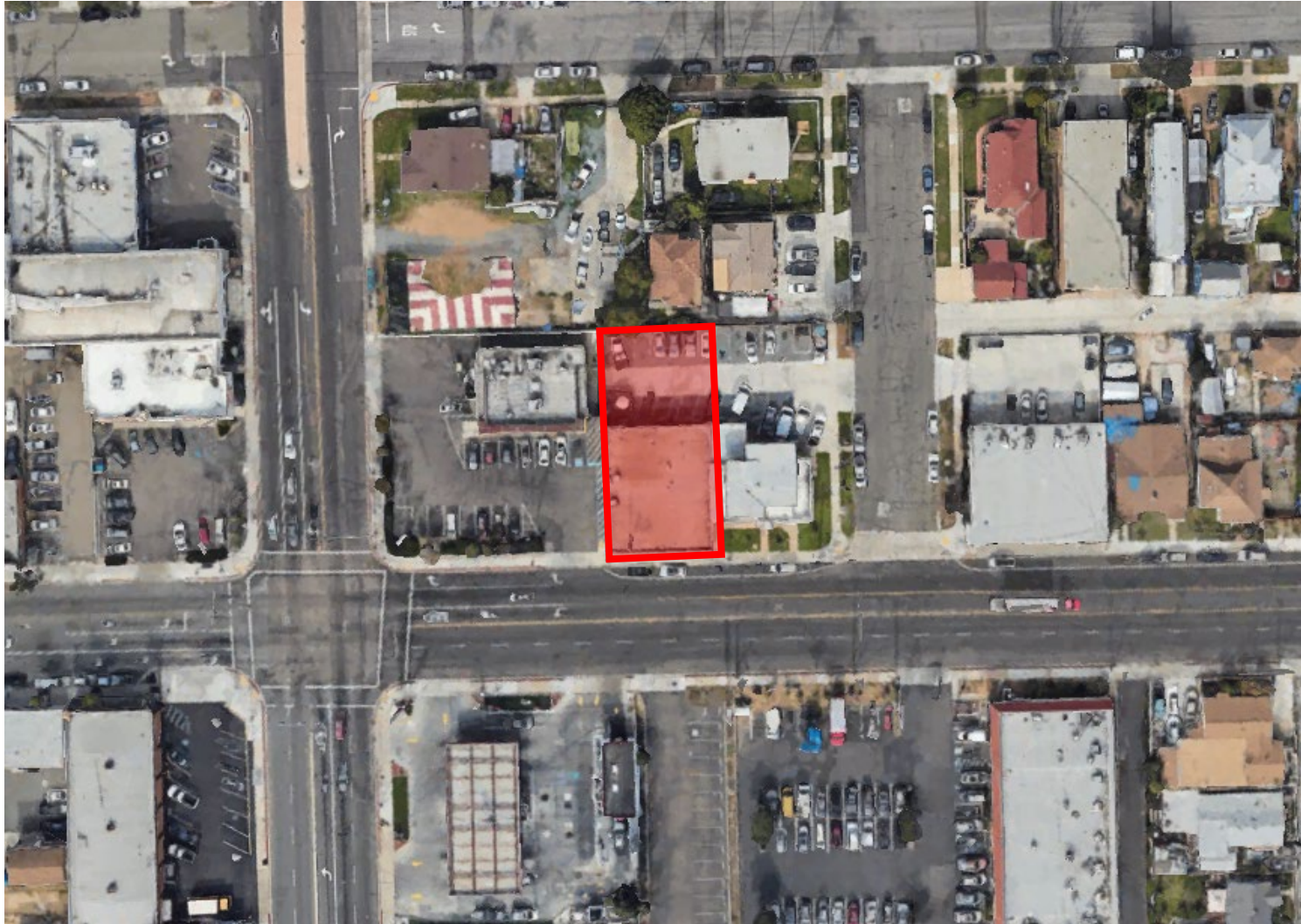
ABSENT:

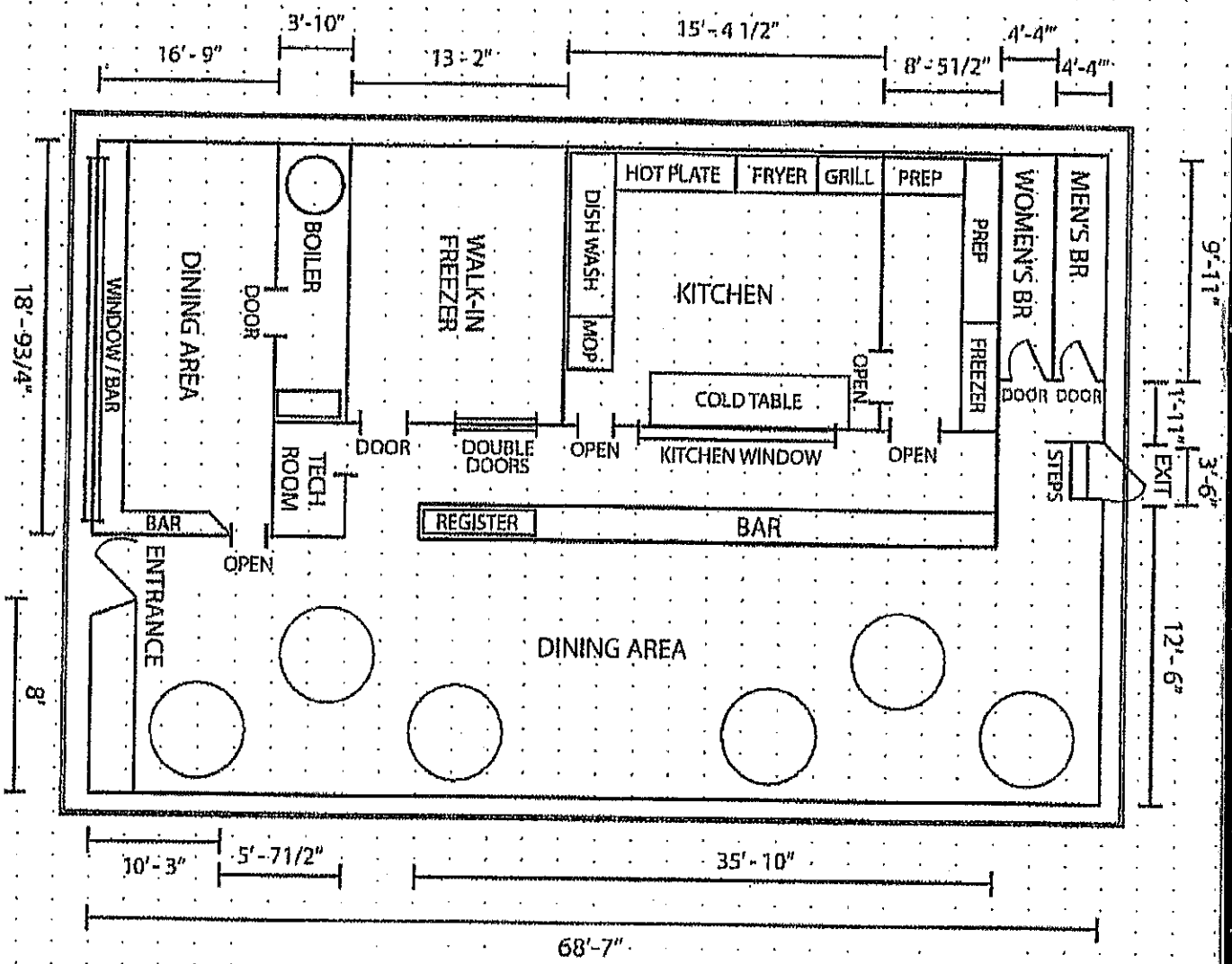
ABSTAIN:

---

CHAIRPERSON

2024-20 CUP – 831 East 8<sup>th</sup> Street – Overhead







NOTICE OF PUBLIC HEARING

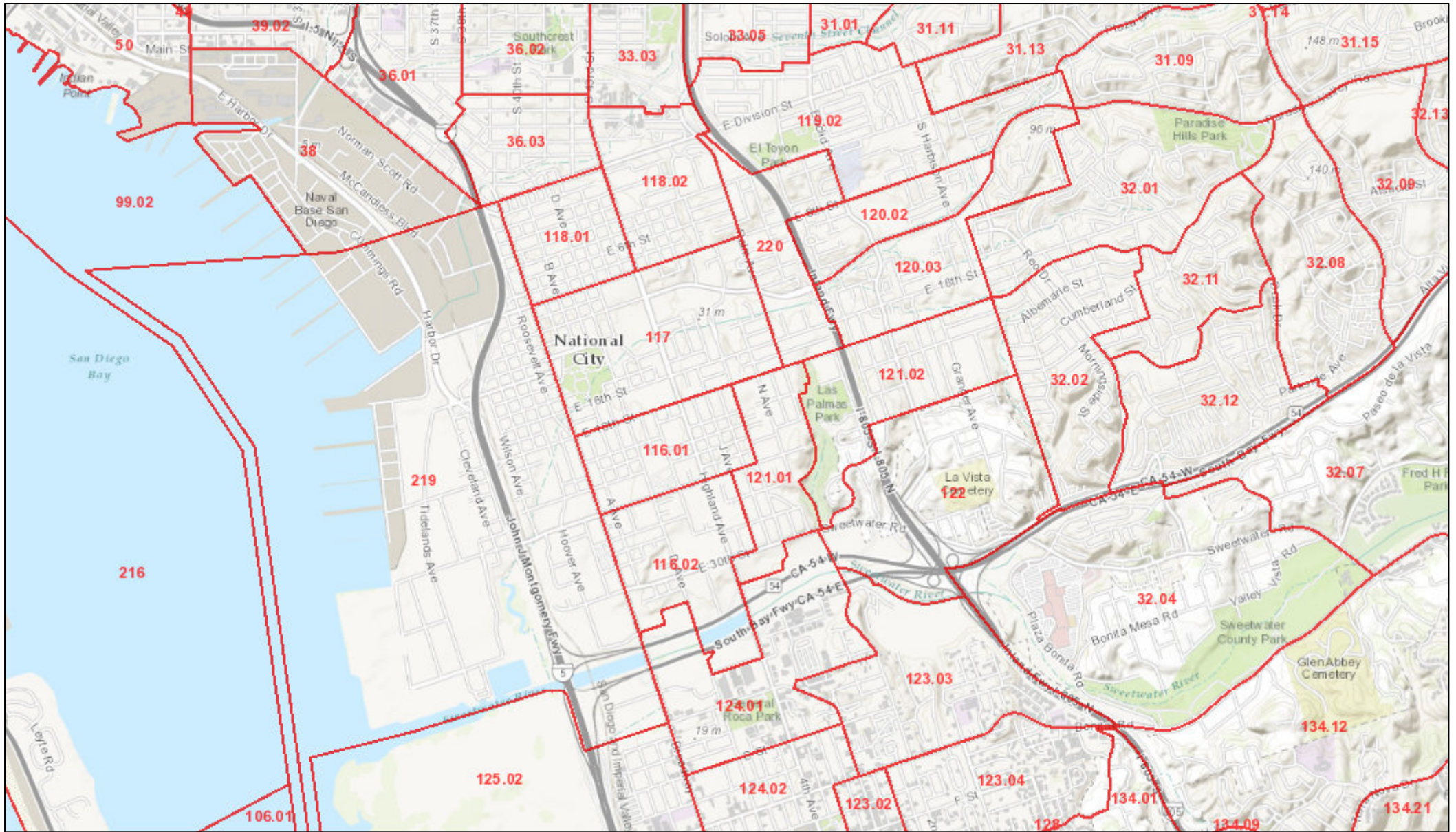
DETERMINATION THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER CLASS 1 OF THE CEQA GUIDELINES SECTION 15301 (EXISTING FACILITIES) AND CONDITIONAL USE PERMIT FOR BEER AND WINE SALES (ABC TYPE-41) AT AN EXISTING RESTAURANT (MR. PULPO SEAFOOD) LOCATED AT 831 E 8<sup>TH</sup> STREET  
CASE FILE NO.: 2024-20 CUP  
APN: 556-414-09-00

The National City Planning Commission will hold a public hearing after the hour of 6:00 p.m. **Monday, November 4, 2024**, in the City Council Chambers, Civic Center, 1243 National City Boulevard, National City, California, on the proposed request. (Applicant: Saida Gonzalez)

The business is proposing to sell on-site beer and wine (ABC Type 41) in conjunction with food sales at the existing restaurant (Mr. Pulpo Seafood). The applicant is proposing to sell alcohol from 9:00 a.m. to 10:00 p.m. daily. Planning Commission will also consider the staff determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Class 1, Section 15301 (Existing Facilities).

Information is available for review at the City's Planning Division, Civic Center. Members of the public are invited to comment. Written comments should be received by the Planning Division on or before 2:00 p.m., **November 4, 2024** by submitting it to [PlcPubComment@nationalcityca.gov](mailto:PlcPubComment@nationalcityca.gov). Planning staff can be contacted at 619-336-4310 or [planning@nationalcityca.gov](mailto:planning@nationalcityca.gov).

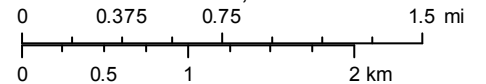
If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.



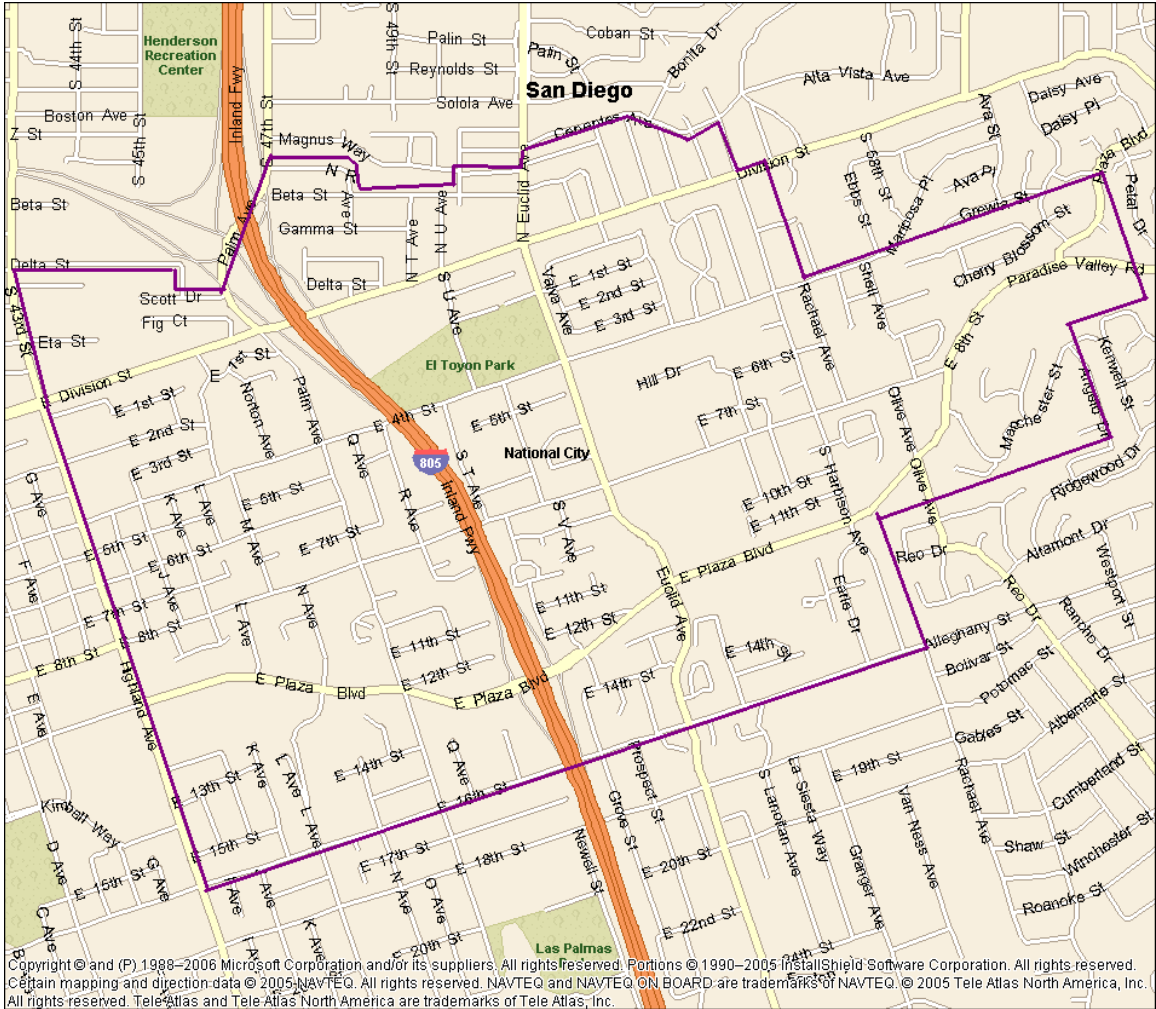
August 25, 2014

CensusTracts 2010

1:45,467



Sources: Esri, HERE, DeLorme, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community



# City of National City Beat 21

Source: Microsoft Mappoint  
NCPD CAU, 4/18/07



**NATIONAL CITY POLICE DEPARTMENT**  
**ALCOHOL BEVERAGE CONTROL**  
**RISK ASSESSMENT**

DATE: 10/04/24

BUSINESS NAME: Mr. Pulpo Seafood

ADDRESS: 831 E. 8th Street

OWNER NAME: Saida Leticia Gonzalez DOB: [REDACTED]

OWNER ADDRESS: [REDACTED]

(add additional owners on page 2)

I. Type of Business

- Restaurant (1 pt)
- Market (2 pts)
- Bar/Night Club (3 pts)
- Tasting Room (1pt)

II. Hours of Operation

- Daytime hours (1 pt)
- Close by 11pm (2 pts)
- Close after 11pm (3 pts)

III. Entertainment

- Music (1 pt)
- Live Music (2 pts)
- Dancing/Live Music (3 pts)
- No Entertainment (0 pts)

IV. Crime Rate

- Low (1 pt)
- Medium (2 pts)
- High (3 pts)

V. Alcohol Businesses per Census Tract

- Below (1 pt)
- Average (2 pts)
- Above (3 pts)

<p><b>Notes:</b></p> <ul style="list-style-type: none"> <li>- Currently, there are (9) on sale licenses authorized in tract 118.02</li> <li>- Currently, there are (1) active on sale licenses in tract 118.02</li> <li>- Currently, there are (4) off sale licenses authorized in tract 118.02</li> <li>- Currently, there are (5) active off sale licenses in tract 118.02</li> </ul>
---

VI. Calls for Service at Location (for previous 6 months)

- ✓ Below (1 pt)
- Average (2 pts)
- Above (3 pts)

VII. Proximity Assessment (1/4 mile radius of location)

- Mostly commercial businesses (1 pt)
- ✓ Some businesses, some residential (2 pts)
- Mostly residential (3 pts)

Low Risk ( 12pts or less) Medium Risk (13 – 18pts) High Risk (19 – 24pts)  <b>Total Points</b> <u>9</u>
---

VIII. Owner(s) records check

- ✓ No criminal incidents (0 pts)
- Minor criminal incidents (2 pts)
- Multiple/Major criminal incidents (3 pts)

OWNER NAME: Christian Ballow DOB: [REDACTED]

OWNER ADDRESS: [REDACTED]

OWNER NAME: \_\_\_\_\_ DOB: \_\_\_\_\_

OWNER ADDRESS: \_\_\_\_\_

**Recommendation:**

This business assessed at a low risk and is deserving of such a rating.

---



---



---



---



---



---



---

Completed by: J. Camacho Badge ID: 449



**Environmental Scan for  
Proposed Type 41 Alcohol CUP**

831 E 8<sup>th</sup> Street, National City, CA 91950

Conducted: October 3, 2024



Photo of the proposed location.

An environmental scan was conducted on Thursday, October 3, 2024, for a proposed Type 41 on-sale alcohol license at 831 E 8<sup>th</sup> Street.

During a scan of the business and premises, the following was noted:

- The business is located in a predominantly commercial area of a Mixed-Use District.
- The location has limited parking with 10 spaces behind the building.
- The location is in a multi-tenant building with a nail salon and a realty/mortgage business.
- There are multiple alcohol retailers and full-service restaurants in close proximity to the proposed location, including a 7-Eleven next door, a liquor store 230 feet away, Salvadorian/Mexican restaurant, Hawaiian restaurant and breakfast restaurant across the street.
- There was litter on the side of the building where 7-Eleven is located, and it appeared attempts had been made to cover graffiti on the property.
- There were a few unsheltered individuals with their property in the parking lot across the street.

### **Youth Sensitive Areas**

Chuck E Cheese, approximately 1,580 feet away

Yeraldin Day Care, approximately 1,580 feet away

Central Elementary School and Pre-School, approximately 1,580 feet away

### **Churches**

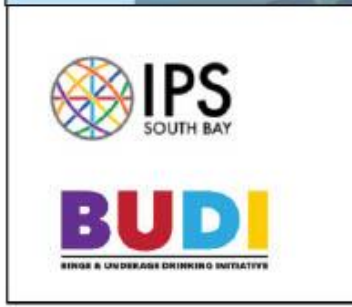
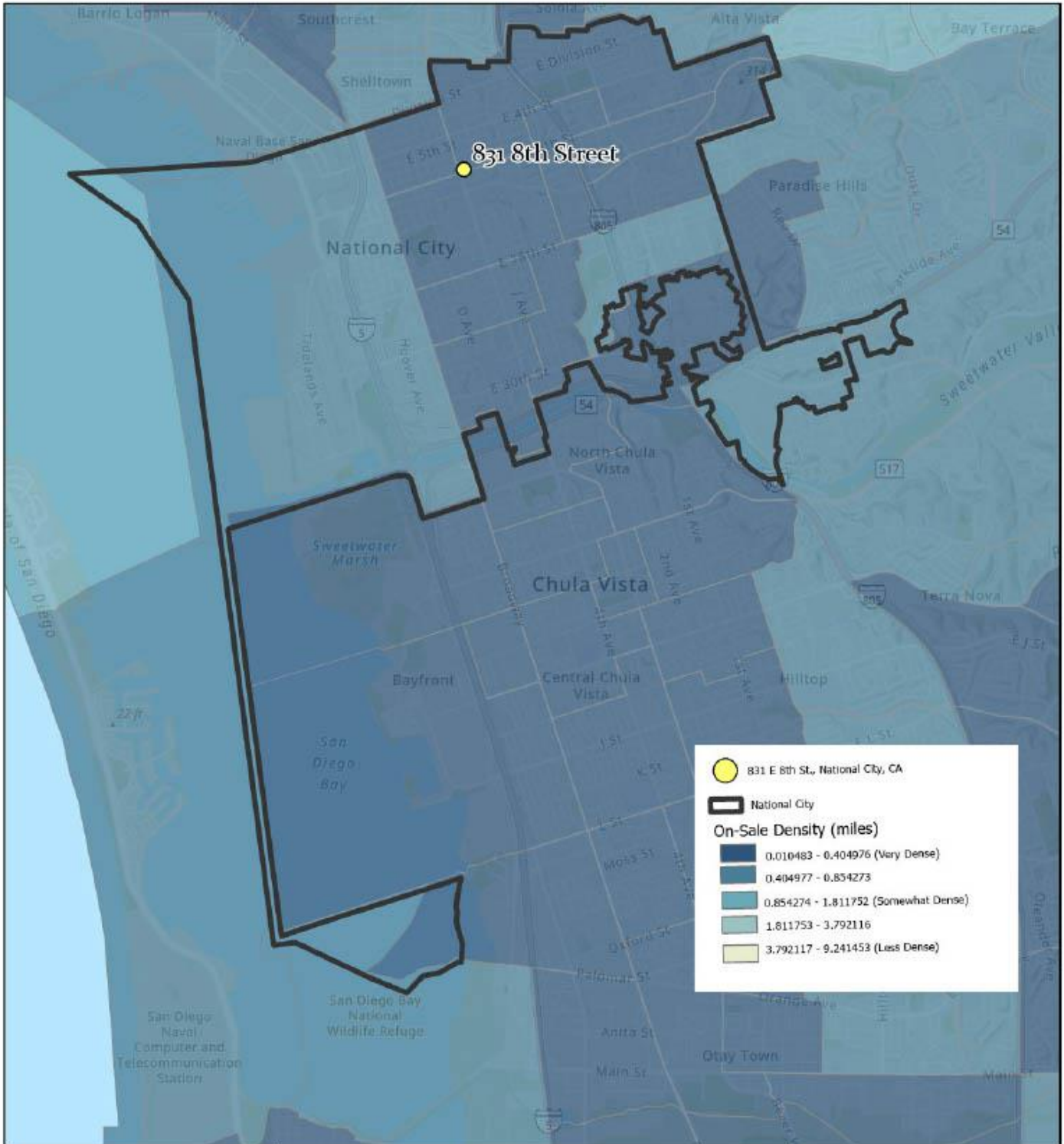
First Baptist Church of National City, approximately 1,050 feet away, is the closest one to this location.

### **Crime Rate**

A follow up request for crime-related information from personnel within the City of National City Police Department may result in obtaining a more detailed crime rate for this location.

### **Outlet Density**

Based on Centers for Disease Control guidelines, alcohol density is defined as the average distance between a person and their closest alcohol retailer. In the map below, the darker the census tract, the less distance a person has to travel to their closest alcohol retailer. The proposed location is defined as very dense.

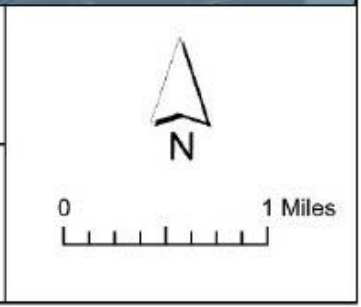


**On-Sale Alcohol Density**  
**Census Tract 118.02**  
**831 E 8th Street, National City, CA**

---

Alcohol density is defined as the average distance between a person and their closest alcohol retailer.

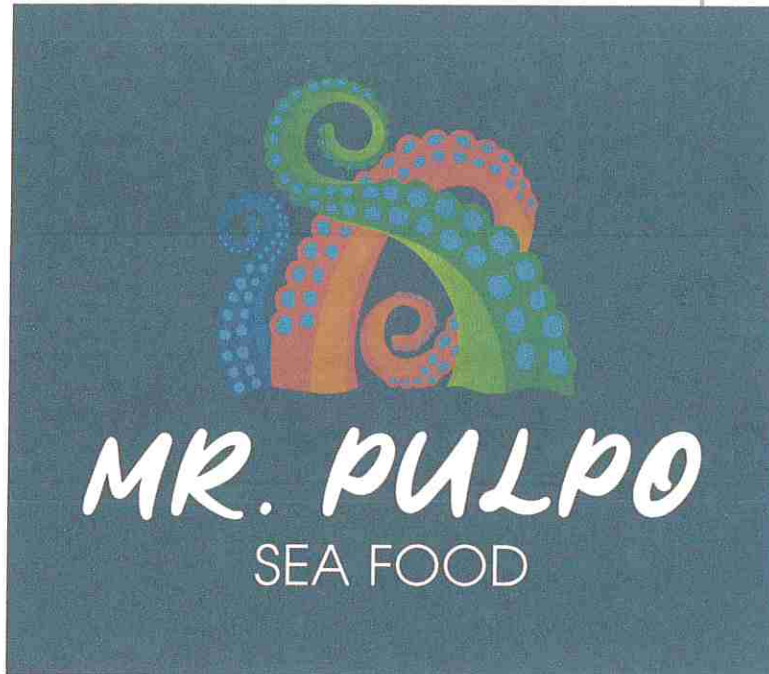
Data from ABC as of 4/30/2024  
 Map produced 9/30/2024



## **Considerations**

The following are considerations if a CUP is issued:

- Require that staff, management, and owner attend an in-person Responsible Beverage Sales and Service training. See the California Alcoholic Beverage Control website for future trainings.
- Consider establishing clear guidelines for when additional alcohol licenses will or will not be permitted within an already dense area.
- Require that that litter be removed on a daily basis and graffiti abated within 24 hours.



**¡Hola Vecinos!**

Nos complace presentarles a Mr. Pulpo, un nuevo restaurante de mariscos mexicanos que ha abierto recientemente en nuestro vecindario de National City.

Actualmente estamos solicitando una licencia de cerveza y vino y nos gustaría invitarlos a nuestra reunión comunitaria:

**Restaurante Mr. Pulpo**  
831 8th Street  
National City, CA 91950  
**Martes, 9 de julio de 2024, a las 11:00 AM**

Vengan a conocer al dueño, disfruten de un taco de pescado de cortesía y compartan sus pensamientos y preocupaciones con nosotros.

¡Gracias y esperamos verlos el 9 de julio!



CITY OF NATIONAL CITY - PLANNING DIVISION  
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

**PLANNING COMMISSION STAFF REPORT**

Title: PUBLIC HEARING – DETERMINATION THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER CLASS 1 OF THE CEQA GUIDELINES SECTION 15301 (EXISTING FACILITIES) AND CONDITIONAL USE PERMIT MODIFICATION FOR BEER AND WINE SALES (ABC TYPE-41) AT A NEW RESTAURANT (TACOS EL FRANC) LOCATED AT 3030 PLAZA BONITA ROAD, SUITE 1108

Case File No.: 2024-14 CUP

Location: Westfield Plaza Bonita Mall

Assessor’s Parcel Nos.: 564-471-07-00

Staff report by: Sophia Depew, Assistant Planner

Applicant: Tacos El Franc

Zoning designation: MXD-2 (Major Mixed-Use District)

Adjacent use and zoning:

North: Single-Family Residential across Sweetwater Rd. / RS-2 (Small Lot Residential)

East: Bonita Creek development / RS-3 (Medium-Low Density Multi-Unit Residential)

South: Sweetwater River Park / OS (Open Space)

West: Interstate 805 Freeway / OS

Environmental review: Categorically exempt from environmental review pursuant to Class 1, Section 15301 (Existing Facilities)

Staff recommendation: Approve

### Staff Recommendation

Staff recommends approval of the request to modify the existing Conditional Use Permit (CUP) for on-site beer and wine sales for a new restaurant (Tacos El Franc) to expand into the adjacent suite, subject to the recommended conditions in the attached resolution and a determination that the project is exempt from CEQA. The sale of beer and wine is a conditionally-allowed use in the Major Mixed-Use District zone and would be accessory to food sales at the restaurant.

### Executive Summary

The applicant has applied to modify an existing Conditional Use Permit for on-site beer and wine sales for a new restaurant, Tacos El Franc, located in the Westfield Plaza Bonita Mall. Tacos El Franc is proposing to expand the restaurant into the adjacent suite, increasing the total area of the restaurant interior to 3,771 square feet. There is also an existing 1,766 square-foot outdoor patio, which is in addition to the interior floor area. The proposed hours of operation are 10:00 a.m. to 10:00 p.m. daily. No live entertainment is proposed.

### Site Characteristics

The project is located within the Westfield Plaza Bonita Mall on the east side of the lower level across from The Broken Yolk restaurant. The suite was originally approved for a CUP for alcohol sales (ABC Type 41) at a restaurant, Funky Fries & Burgers, in 2019. The previous restaurant was 1,739 square feet with a 1,766 square-foot outdoor patio. The applicant, Tacos El Franc, is proposing to expand the restaurant into the adjacent retail suite, increasing the total square footage of the restaurant interior to 3,771 square feet. The suite has entrances from the interior of the mall and the exterior patio.

The mall continues north, west, and south of the restaurant; further west is the Interstate 805 Freeway, further south is Sweetwater River Park, further east is multifamily residential, and further north is single-family residential across Sweetwater Road.

### Proposed Use

The applicant is proposing to expand the restaurant into the adjacent suite. Proposed hours for alcohol sales are 10:00 a.m. to 10:00 p.m. daily. Beer and wine would be delivered to the table upon request and would only be available with the sale of food. No live entertainment is proposed.

### Analysis

Section 18.30.050 of the Land Use Code allows for on-site alcohol sales with an approved CUP. Additional requirements for alcohol CUPs include expanded notification, a community meeting, and distance requirements.

The suite was originally approved for a CUP for alcohol sales (ABC Type 41) at a restaurant (Funky Fries & Burgers) in 2019 and then closed in 2023. Since the use has not lapsed for more than 12 months, Tacos El Franc is assuming the license and applying for a CUP modification to expand the restaurant into the adjacent suite.

### Hours of Operation for Alcohol Sales

The business is proposing to sell on-site beer and wine from 10:00 a.m. to 10:00 p.m. daily. The existing CUP for the suite was approved for 10:00 a.m. to 10:00 p.m. Sunday through Thursday and 10:00 a.m. to 12:00 a.m. Friday and Saturday. The hours of operation for license holders located in Plaza Bonita range from 6:00 a.m. to 12:00 a.m. for the varying properties. Most recently, Manna Heaven BBQ was approved for 10 a.m. to 9:00 p.m. and Round 1 was approved for 10:00 a.m. to 12:00 a.m. daily.

Mailing - All property owners and occupants within a distance of 660 feet are required to be notified of a public hearing for alcohol-related CUP applications. Notice of this public hearing was sent to 224 occupants and owners.

### Comments

The Planning Division has not received any public comment as of the writing this report.

Community Meeting - Pursuant to Section 18.30.050 (C) of the National City Zoning Code, a community meeting was held Thursday, September 26, 2024 at 10:30 a.m. at the subject restaurant. The meeting advertisement is attached (Attachment 8). One employee of a business located in the mall attended the meeting.

Distance Requirements - Chapter 18.030.050 (D) of the National City Zoning Code requires a 660-foot distance from any public school; there are no schools within 660 of the site. In addition, restaurants with greater than 30% of their area devoted to seating are exempt from this distance requirement. The property in



question has over 42% of its floor area devoted to seating, not including the patio.

#### Alcohol Sales Concentration/Location

According to the California Department of Alcoholic Beverage Control (ABC), there are currently 11 on-site sale licenses in this census tract (32.04) where a maximum of five are recommended. Therefore, this census tract is considered by ABC to be over-saturated with regard to alcohol sales outlets. However, two of the licenses are located outside of the City and no increase in the amount of licenses would occur since the applicant is assuming one of the existing licenses.

Census tract 32.04 includes the area south of the Interstate 54, north of Bonita Road, west of Sweetwater Road, and east of the Interstate 805. The attached census tract map shows the location of the subject tract (Attachment 5).

#### Police Department (PD)

The ABC Risk Assessment provided by PD allocated a total of 12 points, which places it in the Low Risk category (Low Risk is considered 12 or less points). The Risk Assessment is included as attachment 6.

#### Institute for Public Strategies

Comments were received from IPS with the following considerations:

1. Require that staff, management, and owner attend an in-person Responsible Beverage Sales and Service training. See the California Alcoholic Beverage Control website for future trainings.
2. To prevent crime and nuisance activities, require that the restaurant have hours of operation with alcohol sales ending no later than 12:00 a.m. daily.
3. Require signage indicating that alcoholic beverages may not be take beyond the front patio exit and onto the sidewalk.

Standard conditions of approval are included in the report in compliance with City Council Policy 707. IPS comments are included as Attachment 7.

#### Findings for Approval

The Municipal Code contains six required findings for CUPs as follows:

1. Allowable Use: Alcohol sales are allowable within Major Mixed-Use District zone, pursuant to a CUP, and the proposed use meets the required guidelines in the Land Use Code for alcohol sales, as discussed in the

staff report. The use is incidental to the proposed restaurant use in a commercial area.

2. General Plan Consistency: Alcohol sales is a permitted use, subject to a CUP, by the Land Use Code, which is consistent with the General Plan. In addition, a restaurant with alcohol sales is consistent with the Major Mixed-Use District zone land use designation and the Community Character element of the General Plan.
3. Compatibility, LUC, and Traffic: No expansion of the building is proposed. The proposal involves an existing commercial space, which was previously analyzed for traffic impacts when it was constructed. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints. The proposed uses would be incidental to the primary use of food service.
4. No Nuisance: The proposed use will be subject to conditions that limit the sale of beer and wine as well as the hours that it will be available. Beer and wine will only be available with the sale of food. In addition, all staff members serving alcohol are required to receive RBSS training. There is no live entertainment proposed on site.
5. California Environmental Quality Act (CEQA): The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and has been determined to be categorically exempt from environmental review pursuant to Class 1, Section 15301 (Existing Facilities) for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit. The reason for the exemption is that the use is proposed within an existing commercial building, and the use is similar to other commercial uses in the area, which are permitted in Major Mixed-Use District zone.
6. Public Convenience and Necessity: The restaurant, a permitted use in the Major Mixed-Use District zone, will benefit from the sale of alcohol by providing for a wider diversity of businesses that add character to the area.

### Findings for Denial

The following are findings for denial due to nearby businesses that sell beer and wine.

1. Granting the permit would constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because the census tract in which the subject property is located is currently over-concentrated with regard to on-sale alcohol outlets – There are 11 on-sale licenses, where a maximum of five are recommended.
2. The proposed use is not deemed essential to the public necessity, as there are 11 restaurants in census tract 32.04 that already serve beer and wine.
3. Based on the above findings 1 and 2 above, public convenience and necessity will not be served by a proposed use of the property for the retail sales of alcoholic beverages pursuant to law.

### Conditions of Approval

Standard Conditions of Approval have been included with this permit, as well as conditions specific to on-sale alcohol sales per City Council Policy 707 (alcohol incidental to food, hours of operation, RBSS training, etc.).

### Summary

The proposed use is consistent with the General Plan due to alcohol sales for on-site consumption being a conditionally-allowed use in the Major Mixed-Use District zone. The proposed use would be accessory to the restaurant use in a commercial area. The expansion of the suite is not expected to increase the demand for parking, other services on the property, or have any significant effects on the area. Although the census tract in which the restaurant is located is over-concentrated with regard to on-sale alcohol licenses, no new licenses would be added. Alcohol will only be available with the sale of food and the Police Department has classified the establishment as Low Risk.

### Options

1. Find the project exempt from CEQA under Class 1 of the CEQA Guidelines Section 15301 or other exemption and approve 2024-14 CUP, subject to the conditions included in the Resolution, or other conditions, and based on the

findings included in the Resolution, or other findings to be determined by the Planning Commission; or,

2. Find the project not exempt from CEQA and/or deny 2024-14 CUP based on the attached findings or findings to be determined by the Planning Commission; or,

3. Continue the item to a specific date in order to obtain additional information.

Attachments

1. Draft Resolutions
2. Overhead
3. Applicant's Plans (Exhibit A, Case File No. 2024-14 CUP, dated 10/28/2024)
4. Public Hearing Notice (Sent to 224 property owners & occupants)
5. Census Tract & Police Beat Maps
6. Police Department Comments
7. IPS Comments
8. Community Meeting Information

RESOLUTION NO. 2024-18

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF NATIONAL CITY, CALIFORNIA DETERMINING THAT THE  
PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA  
ENVIRONMENTAL QUALITY ACT (CEQA) UNDER CLASS 1 OF THE CEQA  
GUIDELINES SECTION 15301 (EXISTING FACILITIES) AND  
APPROVING A CONDITIONAL USE PERMIT MODIFICATION FOR BEER AND WINE  
SALES (ABC TYPE-41) AT A NEW RESTAURANT (TACOS EL FRANC) LOCATED AT  
3030 PLAZA BONITA ROAD, SUITE 1108  
CASE FILE NO. 2024-14 CUP  
APN: 564-471-07-00

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit modification for beer and wine sales at a new restaurant (Tacos El Franc) located at 3030 Plaza Bonita Road, Suite 1108 at a duly advertised public hearing held on November 4, 2024, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2024-14 CUP maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning Commission at the public hearing held on November 4, 2024, support the following findings:

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code, because the use is allowable within the Major Mixed-Use District zone pursuant to a CUP, and the proposed use meets the required guidelines in the Land Use Code for alcohol sales, as discussed in the staff report.
2. The proposed use is consistent with the General Plan and any applicable specific plan because alcohol sales are permitted, subject to a Conditional Use Permit, by the Land Use Code, which is consistent with the General Plan. In addition, a

restaurant use with alcohol sales is consistent with the Major Mixed-Use District land use designation and the Community Character element of the General Plan.

3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, because no expansion of the building is proposed. The proposal involves an existing commercial space, which was previously analyzed for traffic impacts when it was constructed.
4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, because no expansion of the building is proposed. The proposed alcohol sales would be incidental to the primary use of food sales.
5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because the proposed use will be subject to conditions that limit the sale of beer and wine as well as the hours that it will be available. Beer and wine will only be available with the sale of food. In addition, all staff members serving alcohol are required to receive RBSS training.
6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and has been determined to be categorically exempt from environmental review pursuant to Class 1, Section 15301 (Existing Facilities) for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit. The reason for the exemption is that the use is proposed within an existing commercial building and the use is similar to other commercial uses in the area, which are permitted in permitted Major Mixed-Use District zone.
7. The proposed use is deemed essential and desirable to the public convenience or necessity, because the restaurant, a permitted use in the Major Mixed-Use District zone, will benefit from the sale of alcohol by providing for a wider diversity of businesses that add character to the area.
8. Based on findings 1 through 7 above, public convenience and necessity will be served by a proposed use of the property for the on-site sales of alcoholic beverages in accordance with applicable law and the recommended conditions. The use, as proposed and conditioned, will operate in harmony with surrounding

uses, will not cause a nuisance, and will benefit the community looking for a quality restaurant experience.

BE IT FURTHER RESOLVED that the application for a Conditional Use Permit is approved subject to the following conditions:

#### General

1. This Conditional Use Permit authorizes the sale of beer and wine for on-site consumption at a new restaurant (Tacos El Franc) located at 3030 Plaza Bonita Road, Suite 1108. Plans submitted for permits associated with this project shall conform to Exhibit A, Case File No. 2024-14 CUP, dated 10/28/2024.
2. Before this Conditional Use Permit shall become effective, the applicant and the property owner shall both sign and have notarized an Acceptance Form, provided by the Planning Division, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the Conditional Use Permit. The applicant or owner shall also submit evidence to the satisfaction of the Planning Division that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant or owner shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the Conditional Use Permit are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Director of Community Development prior to recordation.
3. This permit shall become null and void at such time as there is no longer a Type 41 California Department of Alcoholic Beverage Control license associated with the property.
4. This permit shall become null and void if not exercised within one year after adoption of the resolution of approval unless extended according to procedures specified in the Municipal Code.
5. This permit shall expire if the use authorized by this resolution is discontinued for a period of 12 months or longer. This permit may also be revoked, pursuant to provisions of the Land Use Code, if discontinued for any lesser period of time.
6. This *Conditional Use Permit* may be revoked if the operator is found to be in violation of any Conditions of Approval.

#### Planning

7. No alcohol sales and consumption practices shall be permitted until the applicant has been issued a Type 41 license from the California Department of Alcoholic Beverage Control.

8. All sellers of alcohol shall receive Responsible Beverage Service and Sales (RBSS) training, including all owners, and managers. The RBSS training must be certified by the Department of Alcoholic Beverage Control (ABC). Proof of completion of an approved RBSS program must be provided prior to issuance of a city business license. As part of the RBSS training, the permittee shall make available a domestic violence training session as provided by the Institute of Public Strategies.
9. The sale of alcoholic beverages shall be permitted only between the hours of 10 a.m. to 10 p.m. daily.
10. The sale of alcohol shall not exceed the sale of food. With the annual renewal of the City business license, the business proprietor shall submit a statement clearly indicating total alcoholic beverage sales and total food sales. Said statement shall be subject to audit and verification by employees of the City, who are authorized to examine, audit and inspect such books and records of the license, as may be necessary in their judgment to verify that the sale of alcohol does not exceed the sale of food. All information obtained by an investigation of records shall remain confidential.
11. Alcohol shall be available only in conjunction with the purchase of food.
12. The sale of alcoholic beverages for off-site consumption is not permitted at this location.
13. Permittee shall post signs in the patio dining area, including all exits to outdoor seating areas, indicating that alcoholic beverages shall be consumed inside the restaurant or patio area and shall not be taken off-premises.
14. No live entertainment is permitted without modification of this CUP or issuance of a Temporary Use Permit.
15. The operator of the business shall maintain an active business license and ensure that the business license is renewed annually.

#### Police

16. The permittee shall comply with all applicable law, including, but not limited to the regulatory provisions of the Business and Professions Code that pertain to the sale, serving, and consumption of alcoholic beverages.

#### Indemnification Agreement

The Applicant shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify the Applicant of any claim, action, or proceeding. The City may elect to conduct its own defense, participate in



its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, the Applicant shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Applicant regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Applicant shall not be required to pay or perform any settlement unless such settlement is approved by the Applicant.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

BE IT FINALLY RESOLVED that this Resolution shall become effective and final on the day following the City Council meeting where the Planning Commission resolution is set for review, unless an appeal in writing is filed with the City Clerk prior to 5:00 p.m. on the day of that City Council meeting. The City Council may, at that meeting, appeal the decision of the Planning Commission and set the matter for public hearing.

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of November 4, 2024, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

---

CHAIRPERSON

RESOLUTION NO. 2024-18

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF NATIONAL CITY, CALIFORNIA  
DENYING A CONDITIONAL USE PERMIT MODIFICATION  
FOR ON-SITE ALCOHOL SALES AT A NEW RESTAURANT LOCATED AT  
3030 PLAZA BONITA ROAD, SUITE 1108  
CASE FILE NO. 2024-14 CUP  
APN: 564-471-07-00

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit for the on-site sale of beer and wine at a new restaurant for a property located at 3030 Plaza Bonita Road, Suite 1108 at a duly advertised public hearing held on November 4, 2024, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2024-14 CUP maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning Commission at the public hearing held on November 4, 2024, support the following findings:

1. Granting the permit would constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because the census tract in which the subject property is located is currently over-concentrated with regard to on-sale alcohol outlets – There are 11 on-sale licenses, where a maximum of five are recommended.
2. The proposed use is not deemed essential to the public necessity, as there are 10 restaurants in census tract 32.04 that already serve beer and wine.

3. Based on the above findings 1 and 2 above, public convenience and necessity will not be served by a proposed use of the property for the sale of alcoholic beverages pursuant to law.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

BE IT FINALLY RESOLVED that this Resolution shall become effective and final on the day following the City Council meeting where the Planning Commission resolution is set for review, unless an appeal in writing is filed with the City Clerk prior to 5:00 p.m. on the day of that City Council meeting. The City Council may, at that meeting, appeal the decision of the Planning Commission and set the matter for public hearing.

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of November 4, 2024, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

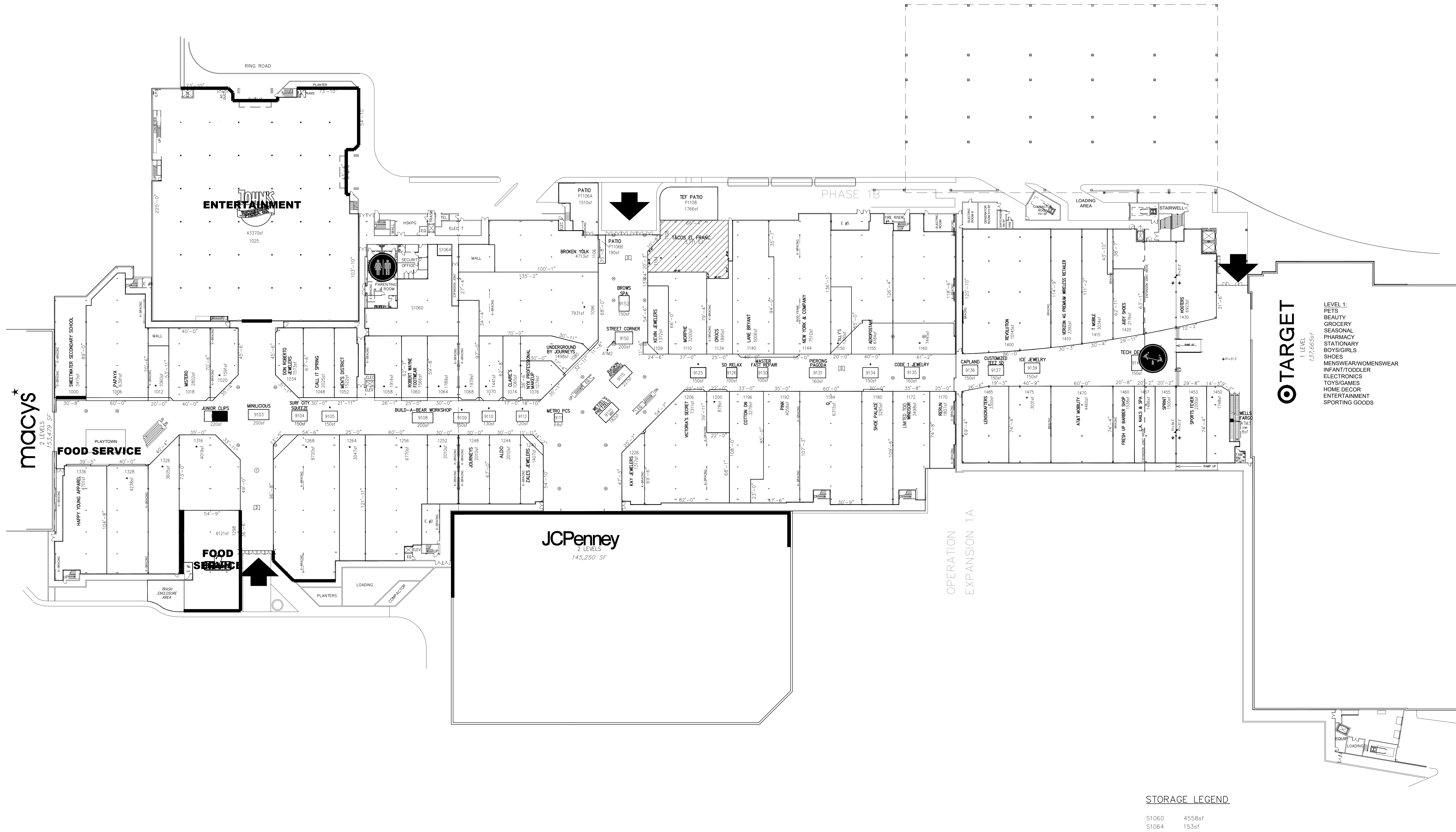
---

CHAIRPERSON

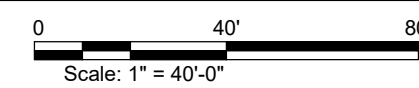
2024-14 CUP – 3030 Plaza Bonita Road, Suite 1108 – Overhead



N↑



WESTFIELD PLAZA BONITA SITE PLAN - GROUND LEVEL TENANTS



SCALE 1  
1"=40'-0"

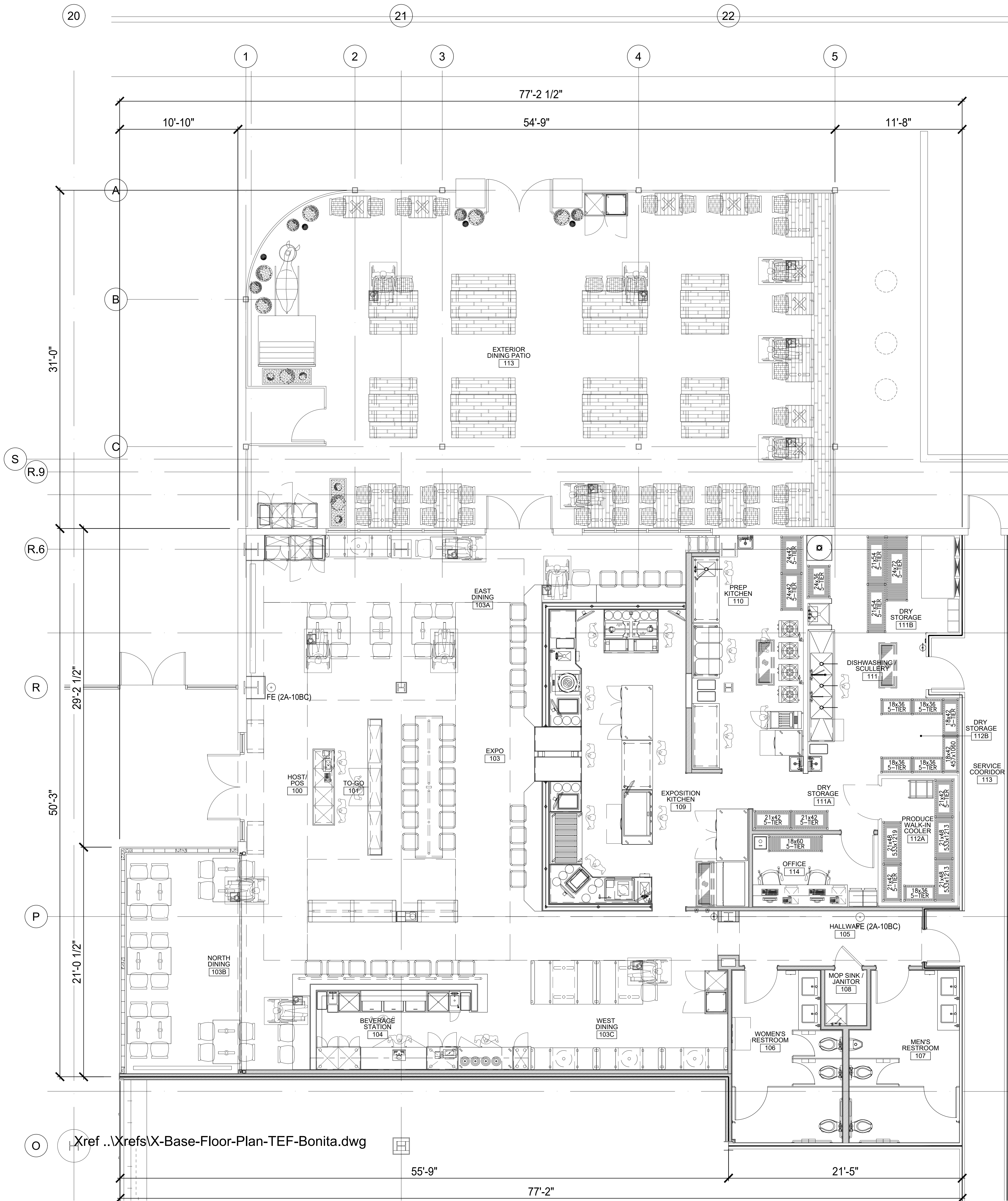
PROJECT:  
**TACOS EL FRANC**  
AT  
**WESTFIELD PLAZA BONITA**  
WESTFIELD PLAZA BONITA  
3030 PLAZA BONITA ROAD, SUITE 1108  
NATIONAL CITY, CA. 91950

SHEET TITLE:  
**MALL SITE PLAN**  
**GROUND LEVEL**

REVISIONS


WAF Project No: 0123  
 Consultant Project No: N/A  
 Issuance Date: SEPTEMBER 24, 2024  
 Issue: CUP  
 Sheet No:

**AS-100**



TENANT IMPROVEMENT FLOOR PLAN

SCALE  
1/4"=1'-0" 1

PROJECT:  
**TACOS EL FRANC  
AT  
WESTFIELD PLAZA BONITA**  
WESTFIELD PLAZA BONITA  
PLAZA BONITA ROAD, SUITE 1108  
NATIONAL CITY, CA. 91950

SHEET TITLE:  
**TACOS EL FRANC  
TENANT IMPROVEMENT  
FLOOR PLAN**

REVISIONS


WAF Project No: 0123  
Consultant Project No: N/A  
Issuance Date: SEPTEMBER 24, 2024  
Issue: CUP  
Sheet No:

**A101**



NOTICE OF PUBLIC HEARING

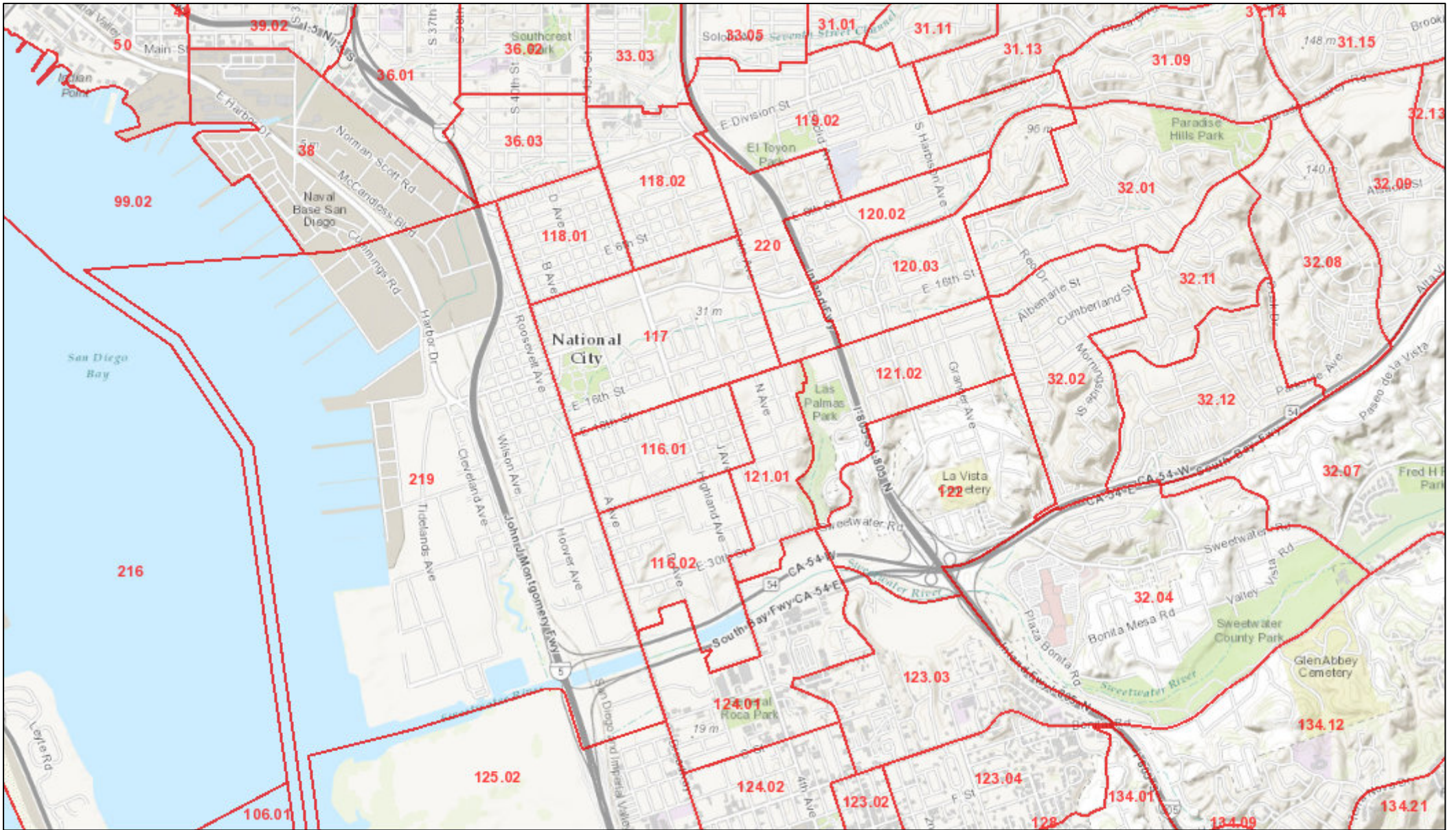
DETERMINATION THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER CLASS 1 OF THE CEQA GUIDELINES SECTION 15301 (EXISTING FACILITIES) AND CONDITIONAL USE PERMIT MODIFICATION FOR BEER AND WINE SALES (ABC TYPE-41) AT A NEW RESTAURANT (TACOS EL FRANC) LOCATED AT 3030 PLAZA BONITA ROAD, SUITE 1108  
CASE FILE NO.: 2024-14 CUP  
APN: 564-471-07-00

The National City Planning Commission will hold a public hearing after the hour of 6:00 p.m. **Monday, November 4, 2024**, in the City Council Chambers, Civic Center, 1243 National City Boulevard, National City, California, on the proposed request. (Applicant: Tacos El Franc)

The applicant is proposing to modify an existing Conditional Use Permit for on-site beer and wine sales for a new restaurant (Tacos El Franc) located in the Westfield Plaza Bonita Mall. The business is proposing to expand into the neighboring suite, increasing the total area of the restaurant interior to 3,771 square-feet with an additional 1,766 square-foot outdoor patio. Planning Commission will also consider the staff determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Class 1, Section 15301 (Existing Facilities).

Information is available for review at the City's Planning Division, Civic Center. Members of the public are invited to comment. Written comments should be received by the Planning Division on or before 2:00 p.m., **November 4, 2024** by submitting it to [PlcPubComment@nationalcityca.gov](mailto:PlcPubComment@nationalcityca.gov). Planning staff can be contacted at 619-336-4310 or [planning@nationalcityca.gov](mailto:planning@nationalcityca.gov).

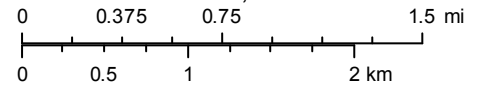
If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.



August 25, 2014

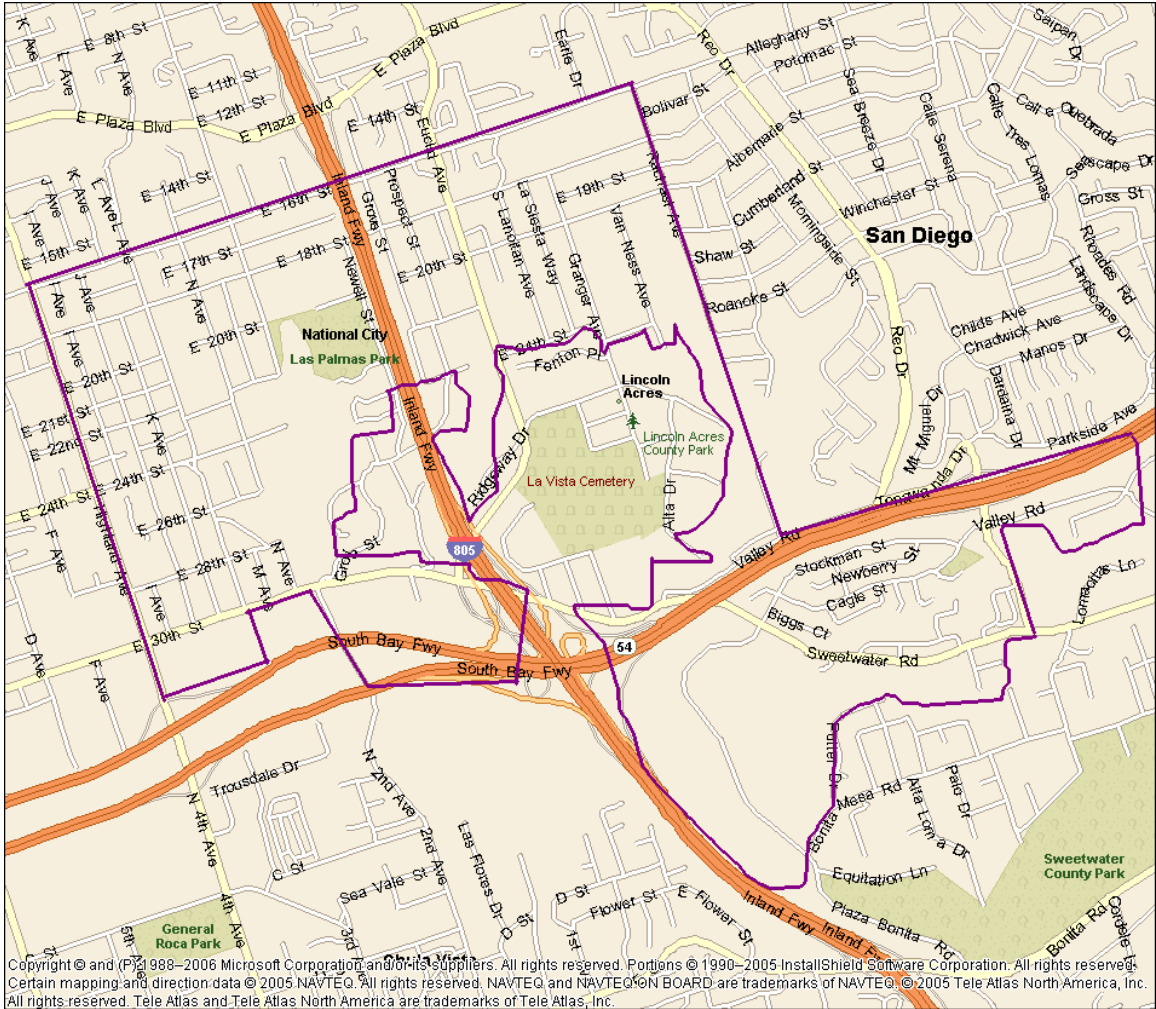
Census Tracts 2010

1:45,467



Sources: Esri, HERE, DeLorme, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community





## City of National City Beat 23

Source: Microsoft Mappoint  
NCPD CAU, 4/18/07



NATIONAL CITY POLICE DEPARTMENT
ALCOHOL BEVERAGE CONTROL
RISK ASSESSMENT

DATE: 10/04/24

BUSINESS NAME: Mr. Pulpo Seafood

ADDRESS: 831 E. 8th Street

OWNER NAME: Saida Leticia Gonzalez DOB: [REDACTED]

OWNER ADDRESS: [REDACTED]

(add additional owners on page 2)

I. Type of Business

- Restaurant (1 pt)
Market (2 pts)
Bar/Night Club (3 pts)
Tasting Room (1pt)

II. Hours of Operation

- Daytime hours (1 pt)
Close by 11pm (2 pts)
Close after 11pm (3 pts)

III. Entertainment

- Music (1 pt)
Live Music (2 pts)
Dancing/Live Music (3 pts)
No Entertainment (0 pts)

IV. Crime Rate

- Low (1 pt)
Medium (2 pts)
High (3 pts)

V. Alcohol Businesses per Census Tract

- Below (1 pt)
Average (2 pts)
Above (3 pts)

Notes:
- Currently, there are (9) on sale licenses authorized in tract 118.02
- Currently, there are (1) active on sale licenses in tract 118.02
- Currently, there are (4) off sale licenses authorized in tract 118.02
- Currently, there are (5) active off sale licenses in tract 118.02

VI. Calls for Service at Location (for previous 6 months)

- ✓ Below (1 pt)
- Average (2 pts)
- Above (3 pts)

VII. Proximity Assessment (1/4 mile radius of location)

- Mostly commercial businesses (1 pt)
- ✓ Some businesses, some residential (2 pts)
- Mostly residential (3 pts)

Low Risk ( 12pts or less) Medium Risk (13 – 18pts) High Risk (19 – 24pts)  <b>Total Points</b> <u>9</u>
---

VIII. Owner(s) records check

- ✓ No criminal incidents (0 pts)
- Minor criminal incidents (2 pts)
- Multiple/Major criminal incidents (3 pts)

OWNER NAME: Christian Ballow DOB: [REDACTED]

OWNER ADDRESS: [REDACTED]

OWNER NAME: \_\_\_\_\_ DOB: \_\_\_\_\_

OWNER ADDRESS: \_\_\_\_\_

**Recommendation:**

This business assessed at a low risk and is deserving of such a rating.

---

---

---

---

---

---

---

---

Completed by: J. Camacho Badge ID: 449

**Environmental Scan for**  
**Proposed Type 41 Alcohol CUP**

3030 Plaza Bonita Road, Suite 1108, National City, CA 91950

Conducted: September 5, 2024



Photo of the proposed location.

An environmental scan was conducted on Thursday, September 5, 2024 for a proposed Type 41 on-sale alcohol license at 3030 Plaza Bonita Road, Suite 1108. The proposed location is within the shopping mall Westfield Plaza Bonita.

During a scan of the business and premises, the following was noted:

- The business is located in a predominantly commercial area of a Mixed-Use District.
- The location has multiple transportation options including traditional car infrastructure, bus stops and a nearby bike path.
- There are multiple full-service restaurants in close proximity to the proposed location, including the Broken Yolk Café (100 feet away), Manna BBQ (150 feet away) , and Round 1 Bowling and Arcade.

### **Youth Sensitive Areas**

Sweetwater Secondary School (500 feet away; located within the same shopping mall in Suite 1000)

Gladys' Family Child Care (1,000 feet away)

Sweetwater Heights Park (approximately 2,800 feet away)

### **Churches**

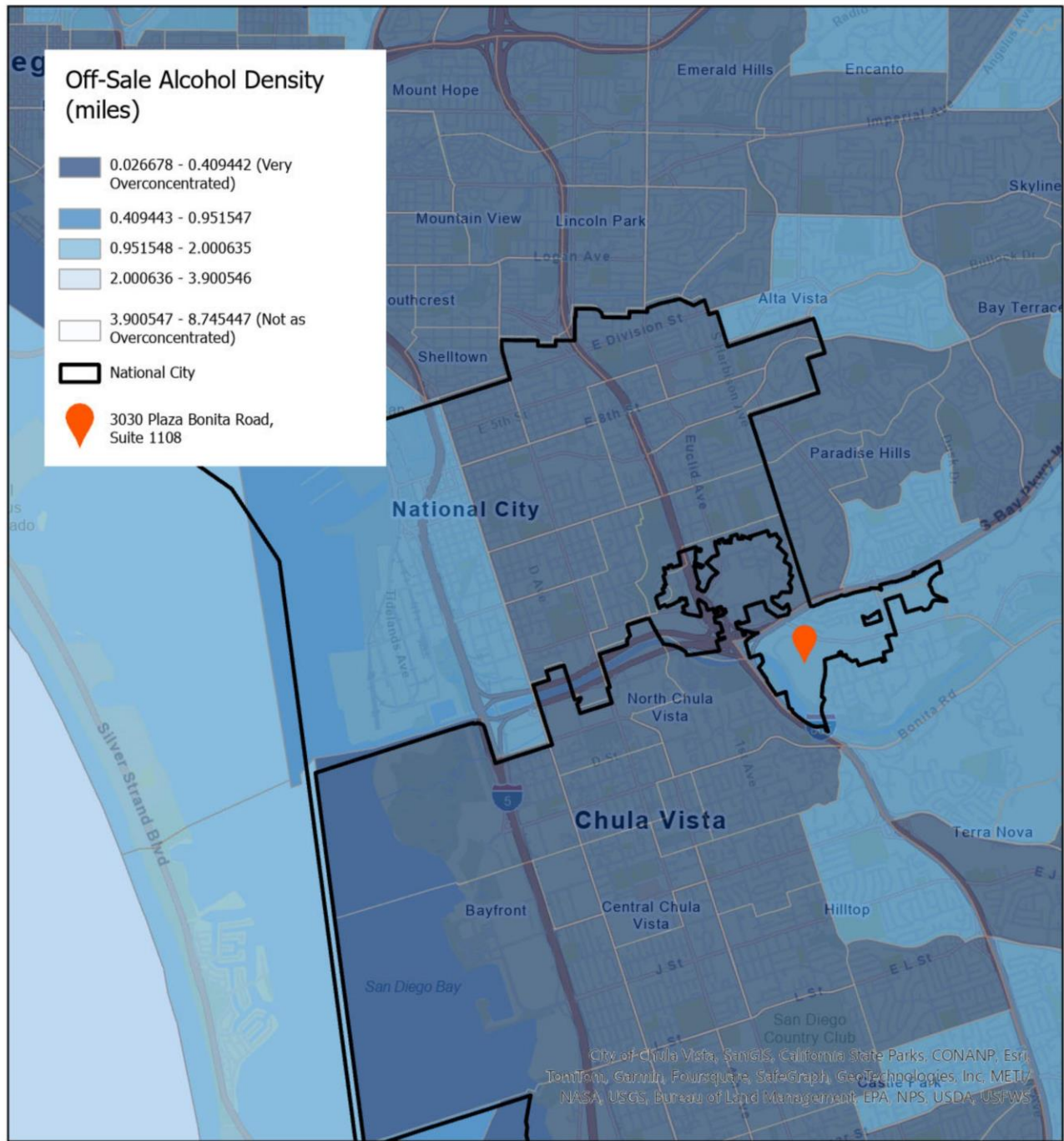
Bonita Valley Seventh Day Adventist and Bonita Road Baptist Churches (each approximately 2,630 feet away) are the closest ones to this location.

### **Crime Rate**

A follow up request for crime-related information from personnel within the City of National City Police Department may result in obtaining a more detailed crime rate for this location.

### **Outlet Density**

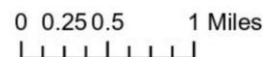
Based on Centers for Disease Control guidelines, alcohol density is defined as the average distance between a person and their closest alcohol retailer. In the map below, the darker the census tract, the less distance a person has to travel to their closest alcohol retailer. The proposed location is defined as moderately overconcentrated/dense. Additionally, according to the ABC, five (5) on-sale licenses are authorized for the census tract where 3030 Plaza Bonita Road, National City is located. There are already nine (9) on-sale licenses for this census tract according to ABC records – exceeding ABC recommendations.



Off-Sale Alcohol Outlet Density  
 Census Tract 32.04  
 3030 Plaza Bonita Road, Suite 1108  
 National City, California, 91950

Alcohol density is the average distance between a person and their closest alcohol retailer.

Alcohol license data was accessed from the CA Dept of Alcoholic Beverage Control on 7/02/24.



## **Considerations**

The following are considerations if a CUP is issued:

1. Require that staff, management, and owner attend an in-person Responsible Beverage Sales and Service training. See the California Alcoholic Beverage Control website for future trainings.
2. To prevent crime and nuisance activities, require that the restaurant have hours of operation with alcohol sales ending no later than 12:00 am daily.
3. Require signage indicating that alcoholic beverages may not be taken beyond the front patio exit and onto the sidewalk.
4. Consider establishing clear guidelines for when additional alcohol licenses will or will not be permitted within an already dense area.

# Tacos El Franc<sup>TM</sup>

Tacos El Franc LLC  
355 6th Avenue  
San Diego, CA 92101  
tacoselfrancusa@gmail.com  
September 26, 2024

## Community Meeting Invitation

You are cordially invited to attend a community meeting to introduce our new business.

Hello, Neighbor! This is Tacos El Franc's Management, your new Westfield Plaza Bonita Mall neighbor. We are having a community meeting to introduce ourselves and inform you about our delicious taco menu and our bar service. We will only serve Beer and wine during our business hours, as we have obtained a 41 liquor license.

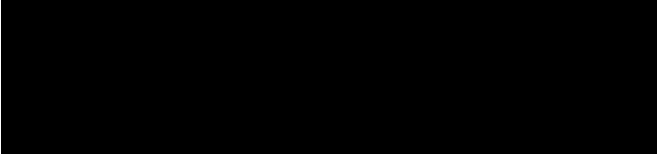
**Date: Thursday, September 26, 2024**

**Time: 10:30 AM**

**Location: 3030 Plaza Bonita Rd Suite 1108, National City, CA 91950**

We Look forward to sharing our exciting new venture with you and discussing how Tacos El Franc will contribute to our community.

Sincerely,



Salvador Lombroso  
Manager  
Tacos El Franc





COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION  
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

Title: ADOPTION OF 2025 PLANNING COMMISSION MEETING DATES

PROPOSED SCHEDULE

The dates listed below are proposed for regularly scheduled Planning Commission meetings.

February 3	August 4, 18
March 3, 17	September 15
April 7, 21	October 6, 20
May 5, 19	November 3, 17
June 2	December 1, 15
July 21	

Planning Commission meetings are typically held on the first and third Mondays of each month.

There are no meetings proposed in January 2025, as the first Monday will be the first day staff returns from furlough and due to the Martin Luther King Jr. Holiday (January 20, 2025). One meeting is proposed in February (February 3, 2025) because of President's Day (February 17, 2025) falling on the third Monday.

Due to the expected City Council legislative recess in July, only one meeting occurring on the first Monday in June is proposed. The meeting in July is proposed to occur on the third Wednesday since any action taken by the Commission on either of those dates would not be heard by the City Council until August. Due to the Labor Day holiday (September 1, 2025), September 15, 2025 is proposed.

If needed, additional meetings can be scheduled (as caseload demands) or meetings canceled if there are no agenda items to be considered.

RECOMMENDATION

It is recommended that the Planning Commission adopt the proposed 2025 meeting schedule.

CARLOS AGUIRRE  
Director of Community Development



Item no. 6  
November 4, 2024

COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION  
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

Title: ELECTION OF OFFICERS FOR 2025

RECOMMENDATION

That the Planning Commission elect new officers for 2025 to succeed Chair Martin Miller and Vice Chair Randi Marie Castle-Salgado. The Chair of the Planning Commission will also serve as the Chair of the Housing Advisory Committee. It is suggested that nominations and elections occur as in previous years.

CARLOS AGUIRRE  
Director of Community Development