



Planning Commission Minutes

Meeting of June 6, 2011

6:00 P.M. to 7:15 P.M.

City 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.

Agenda Items

The meeting was called to order by Chairman Baca at 6:01 p.m.

Roll Call

Commissioners Flores, Pruitt, Reynolds, Baca, Alvarado, Farias, DeLaPaz.

Also present: City Attorney Claudia Silva, Redevelopment Director Brad Raulston, Assistant Planner Martin Reeder.

Pledge of Allegiance

Led by Commissioner Alvarado.

Approval of Minutes

1 Minutes of the Regular Meeting held on May 16, 2011.

Motion by Pruitt, 2nd by Alvarado, to approve the Minutes for the meeting held on May 16, 2011.

Motion carried by the following vote:

Ayes: Alvarado, Baca, DeLaPaz, Farias, Flores, Pruitt, Reynolds.

Approval of Agenda

Motion by Reynolds, 2nd by Pruitt, for approval of Agenda for the Planning Commission for the meeting of June 6, 2011.

Motion carried by the following vote:

Ayes: Alvarado, Baca, DeLaPaz, Farias, Flores, Pruitt, Reynolds.

ORAL COMMUNICATIONS (3 MINUTE TIME LIMIT).

Note: Under State law, items requiring Commission action must be brought back on a subsequent agenda unless they are of a demonstrated emergency or urgent nature.

None.

PUBLIC HEARING

2. Public Hearing – Conditional Use Permit for the expansion of a permitted church use at 1341 East 8th Street, Suite A, B & C. Case File No. 2011-14 CUP.

Chairman Baca asked the applicant if they have read and understood conditions of approval.

Leo Clemente, applicant, stated in the affirmative.

Commissioner Reynolds asked if Lions Club meetings in the same center would be a problem for the church and if the project combined with Bethel Church would be a problem.

Mr. Clemente stated that there would be no problem with the Lions Club. Assistant Planner Reeder stated that Bethel Church had ample parking on site and would not be an issue.

Commissioner Alvarado asked the applicant if he can meet conditions of approval.

Mr. Clemente stated that he can comply with conditions of approval.

Motion by Pruitt, 2nd by Farias, to close the public hearing and approve Case File No. 2011-14 CUP, based on required findings and subject to conditions of approval.

Motion carried by the following vote:

Ayes: Alvarado, Baca, DeLaPaz, Farias, Flores, Pruitt, Reynolds.

3. Resolution No. 15-2011. A Resolution of the Planning Commission of the City of National City, California, taking action on a Conditional Use Permit for the expansion of a permitted church use at 1341 East 8th Street, Suite A, B & C. Case File No. 2011-14 CUP.

Motion by Pruitt, 2nd by Farias, to adopt Resolution No. 15-2011.

Motion carried by the following vote:

Ayes: Alvarado, Baca, DeLaPaz, Farias, Flores, Pruitt, Reynolds.

4. Public Hearing – Conditional Use Permit for a tattoo and body piercing studio at an existing clothing store in Westfield Plaza Bonita. Case File No. 2011-15 CUP.

Commissioner DeLaPaz stated that she had no issue with a tattoo shop in the mall due to the normal security in the mall.

Commissioner Alvarado asked if the applicant would be advertising the tattoo service.

Scott Marchand and Tony Waterman, applicants, stated that most customers would be store patrons or hear through word of mouth.

Chairman Baca asked if there would be any bright or flashing signs advertising tattoo and body piercing services.

Mr. Marchand and Mr. Waterman stated that there would not be and that the Mall had regulations against such signage.

Commissioner Flores expressed concerns over children getting tattoos or piercings.

Mr. Marchand and Mr. Waterman stated that all I.D. would be checked and that the Health Department requires I.D. checks as part of their permit.

Commissioner DeLaPaz asked if I.D. was checked for both tattoo and piercing.

Mr. Marchand and Mr. Waterman said that, yes, this was the case.

Motion by DeLaPaz, 2nd by Pruitt, to close the public hearing and approve Case File No. 2011-15 CUP, based on required findings and subject to conditions of approval.

Motion carried by the following vote:

Ayes: Alvarado, Baca, DeLaPaz, Farias, Pruitt, Reynolds.

Nays: Flores.

5. Resolution No. 16-2011. A Resolution of the Planning Commission of the City of National City, California, taking action on a Conditional Use Permit for a tattoo and body piercing studio at an existing clothing store in Westfield Plaza Bonita. Case File No. 2011-15 CUP.

Motion by DeLaPaz, 2nd by Pruitt, to adopt Resolution No. 16-2011.

Motion carried by the following vote:

Ayes: Alvarado, Baca, DeLaPaz, Farias, Pruitt, Reynolds.

Nays: Flores.

6. Public Hearing – Downtown Specific Plan Consistency Review and Conditional Use Permit for the expansion of a gas station convenience store and the sale of alcohol for off-site consumption at 10 Osborn Street. Case File No. 2011-16 DSP, CUP.

Chairman Baca asked the applicant if they have read, understood and could comply with the conditions of approval.

Robert Zakar, the applicant, stated that he had read the conditions and that there was a typographical error in Condition No. 16. He also asked for leniency with conditions 17, 18 and 19. In particular he stated that although it was appropriate for single sales of malt liquor to be regulated due to transients, he wanted to be able larger volume single cans of beer. He also wanted to be able to sell 375 ml bottles of distilled spirits.

Commissioner Reynolds stated that the proposal was tantamount to a full liquor store and that referring to transients may not be helpful.

Mr. Zakar stated that his family had a long history of running similar businesses without any violations and that the CUP was only the first step. Also that Police Department could still object to the license at the ABC level.

Commissioner Pruitt stated that she supported the project with the original conditions and that the conditions were written this way for a reason.

Commissioner DeLaPaz echoed Commissioner Pruitt but stated that she was supportive of a Type 20 license but not a Type 21 license. She commented that there were no issues with any schools nearby and that the applicant's history was a good point, but suggested a continuance to allow the applicant to come back with a Type 20 license proposal.

Commissioner Alvarado commented that he liked the idea of property improvements but the hours of alcohol sales were a concern. He asked if the applicant could comply with all the other conditions not already discussed.

Mr. Zakar stated that he was okay with the conditions as written.

Commissioner DeLaPaz commented on the potential delay of police response due to possible confusion over which agency (San Diego or National City) would respond due to proximity of store to border with San Diego.

Commissioner Reynolds asked if conditions were set in stone or if they could be modified.

City Attorney Silva stated that although conditions could be changed, City Council was in the process of officially adopting the current conditions and that the language was the same as that included with the subject application.

Commissioner Pruitt stated that she did not think that the applicant would like to have a Type 20 license, hence there application for a Type 21 license.

Mr. Zakar stated that in multiple previous cases, they had procured a Type 20 license only to have customers request liquor. This led to having to reapply and go through the process again. They would rather ask for a Type 21 up front.

Chairman Baca stated he was supportive of the project as proposed without the requested condition modification.

Mr. Zakar stated again that he was okay with the conditions as originally proposed by staff.

Motion by Pruitt, 2nd by Flores, to close the public hearing and approve Case File No. 2011-16 CUP, based on required findings and subject to conditions of approval with change to Condition No. 16 to correct the typographical error.

Motion carried by the following vote:

Ayes: Alvarado, Baca, Flores, Pruitt.

Nays: DeLaPaz, Farias, Reynolds.

7. Resolution No. 17-2011. A Resolution of the Planning Commission of the City of National City, California, taking action on a Downtown Specific Plan Consistency Review and Conditional Use Permit for the expansion of a gas station convenience store and the sale of alcohol for off-site consumption at 10 Osborn Street. Case File No. 2011-16 DSP, CUP.

Motion by Pruitt, 2nd by Flores, to adopt Resolution No. 17-2011.

Motion carried by the following vote:

Ayes: Alvarado, Baca, Flores, Pruitt

Nays: DeLaPaz, Farias, Reynolds.

OTHER BUSINESS

8. Review of Street Vacation for the vacation of a portion of excess right-of-way at the western terminus of West 30th Street east of Interstate 5 and the railroad right-of-way.

Motion by DeLaPaz, 2nd by Pruitt, to determine that the Street Vacation as described on the attached plans is in compliance with the National City General Plan, since there are no improvements proposed for the area, and since the area has not and would not be used for vehicular or emergency access to the area.

Motion carried by the following vote:

Ayes: Alvarado, Baca, DeLaPaz, Farias, Flores, Pruitt, Reynolds.

City Attorney

No Report.

Redevelopment Director

No Report.

Planner

No Report.

Commissioners

Commissioner Flores mentioned that the City's graffiti abatement process was more aggressive and effective than in other cities. She also asked about the Sweetwater High School Opening.

Commissioner Reynolds mentioned the pending July 4th celebrations.

Commissioner DeLaPaz commented that she heard August 6 was the planned opening day for Sweetwater High Schhol.

Commissioner Alvarado stated that he would be on vacation the first two weeks of August.

Commissioner Farias stated that the sidewalk in front of the Food for Less on 30th Street was lifting up.

Chairman

No Report

Adjournment

7:15 p.m.


CHAIRMAN