



Planning Commission Minutes

Meeting of September 19, 2011

6:00 P.M. to 7:25 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 Farias, Alvarado, Baca, Pruitt, Reynolds, Flores.

Absent: DeLaPaz.

Also present: City Attorney Claudia Silva, Development Services Director Maryam Babaki, Assistant Planner Martin Reeder, Assistant Police Chief Manuel Rodriguez.

Pledge of Allegiance

Led by Commissioner Reynolds.

Approval of Minutes

1 Minutes of the Regular Meeting held on July 18, 2011.

Motion by Reynolds, 2nd by Pruitt, to approve the Minutes for the meeting held on July 18, 2011.

Motion carried by the following vote:

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

Absent: DeLaPaz.

Approval of Agenda

Motion by Reynolds, 2nd by Pruitt, for approval of Agenda for the Planning Commission for the meeting of September 19, 2011.

Motion carried by the following vote:

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

Absent: DeLaPaz.

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

Chairman Baca stated that he lives within 500 feet of the project site and would need to step down for this item.

Chairman Baca stepped down from his seat and left the room.

2. Public Hearing – Tentative Parcel Map for a two lot split and lot line adjustment at 1941 Palm Avenue. Case File No. 2011-22 LS.

Daniel Tobar, Project Engineer, spoke in support of the tentative parcel map and lot line adjustment. He stated that Mr. Popovich's concerns as listed in his letter have been addressed for drainage, footings, and compaction.

Commissioners discussed the issues and concerns raised by Mr. Popovich in his letter.

Development Services Director Maryam Babaki, stated that all compaction and drainage issues will be addressed prior to the Final Pad Certification being issued, and that Engineering Division staff has been in contact with Mr. Popovich and will respond in writing to his concerns.

Commissioner Alvarado asked Mr. Tobar if he has read and understands all conditions of approval. He further asked if the homes will be for sale, and if the phone wires will be placed underground.

Mr. Tobar, as well as Jose Perez, Project Manager, responded to Commissioners that the homes will be for sale, the phone wires will remain above-ground and that conditions of approval have been read, and stated that some conditions have already been met, and they are willing to replace the broken sidewalk, and additional sidewalk if determined that it is needed.

Motion by Pruitt, 2nd by Reynolds, to close the public hearing and approve Tentative Parcel Map and Lot Line Adjustment for Case File No. 2011-22 LS based on required findings and subject to conditions of approval as listed.

Motion carried by the following vote:

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

Absent: DeLaPaz, Baca.

3. Resolution No. 21-2011. A Resolution of the Planning Commission of the City of National City, California, taking action on a Tentative Parcel Map for a two lot split and lot line adjustment at 1941 Palm Avenue. Case File No. 2011-22 LS.

Motion by Alvarado, 2nd by Pruitt, to adopt Resolution No. 21-2011.

Motion carried by the following vote:

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

Absent: DeLaPaz, Baca.

Chairman Baca returned to his seat.

4. Public Hearing – Conditional Use Permit for the sale of beer and wine at a proposed grocery store at 1325 E. Plaza Boulevard. Case File No. 2011-21 CUP.

Michael Brewer, Fresh & Easy, stated they are looking forward to coming to the City and stated they have questions about two conditions of approval, Nos. 8 and 10.

Mr. Brewer stated that Condition No. 8 in part addresses the permittee making available a domestic violence training session as provided by the Institute of Public Strategies. He asked what this involves.

Assistant Planner Martin Reeder stated that the wording “as provided by the Institute of Public Strategies” could be removed, as long as domestic violence training is included with the responsible beverage service and sales training.

Mr. Brewer stated that Condition No. 10 addresses the need for a valid California ID being physically presented to a store representative, showing proof of age. He stated that the self-checkout process “locks” the transaction when alcohol is purchased, requiring store personnel to verify age prior to the completion of the transaction. He further stated that proof of age is required when customer appears to be under the age of 40, but not on every locked transaction.

City Attorney Claudia Silva stated that this is a unique situation, and the item can be continued to allow staff to see how other cities address this situation.

Assistant Police Chief Rodriguez stated that he is comfortable with the check-out system utilized by Fresh & Easy.

Commissioner Flores asked if cigarettes are sold by Fresh N Easy.

Scott Whitney, Fresh & Easy, stated that no tobacco products are sold at Fresh & Easy stores.

Commissioners discussed changes to conditions of approval no. 10, removing requirement for a valid California ID being physically presented to a store representative, showing proof of age, with added wording as proposed by the City Attorney at the end of the condition, reading, “upon satisfactory determination that the customer is over the age of 21.”

Commissioner Alvarado asked if there is any distance requirements for this store.

Assistant Planner Martin Reeder stated that grocery stores are exempt from distance requirements.

Motion by Pruitt, 2nd by Flores, to close the public hearing and approve Case File No. 2011-21 CUP, based on required findings and subject to conditions of approval, with changes to conditions no. 8 and 10, as discussed above.

Motion carried by the following vote:

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

Absent: DeLaPaz.

5. Resolution No. 22-2011. A Resolution of the Planning Commission of the City of National City, California, taking action on a Conditional Use Permit for the sale of beer and wine at a proposed grocery store at 1325 E. Plaza Boulevard. Case File No. 2011-21 CUP.

Motion by Reynolds, 2nd by Pruitt, to adopt Resolution No. 22-2011, with changes to conditions no. 8 and 10, as described in Item No. 4, Public Hearing.

Motion carried by the following vote:

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

Absent: DeLaPaz.

6. Public Hearing – Coastal Development Permit for the widening of Bay Marina and Civic Center Drives and Interstate 5 on and off-ramps in the Coastal Zone. Case File No. 2011-23 CDP.

Joel Sims, Caltrans spoke in support of the Coastal Development Permit application.

Jason Williams, 2828 E Street, Chula Vista, asked if any sidewalk repairs were proposed near the recycling center at I-5 and Civic Center Drive.

Mr. Sims responded that sidewalk repair is not in the scope of this project.

Motion by Flores, 2nd by Pruitt, to approve Coastal Development Permit based on required findings.

Motion carried by the following vote:

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

Absent: DeLaPaz.

7. Resolution No. 23-2011. A Resolution of the Planning Commission of the City of National City, California, taking action on a Coastal Development Permit for the widening of Bay Marina and Civic Center Drives and Interstate 5 on and off-ramps in the Coastal zone. Case File No. 2011-23 CDP.

Motion by Alvarado, 2nd by Farias, to adopt Resolution No. 23-2011.

Motion carried by the following vote:

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

Absent: DeLaPaz.

OTHER BUSINESS

8. Update from Police Department on new alcohol Conditional Use Permit ranking criteria.

Assistant Police Chief Manuel Rodriguez described the proposed alcohol Conditional Use Permit ranking criteria to the Commission. He stated it is experience-based, and will be used as a guide by the Department.

Commissioners thanked Assistant Chief Rodriguez for his report and stated this is a good approach to take.

Motion by Reynolds, 2nd by Pruitt, to accept and file the report.

Motion carried by the following vote:

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

Absent: DeLaPaz.

City Attorney

City Attorney Claudia Silva stated that George Eiser is on vacation.

Development Services Director

No Report.

Planner

No Report.

Commissioners

Commissioner Reynolds asked what is proposed at 2200 Highland Avenue.

Staff responded that it will be medical offices.

Chairman

Chairman Baca asked what is proposed at the southwest corner of Plaza and Palm, site of the former gas station.

Staff responded that the dental office at the northwest corner will be relocated to this site.

Adjournment

7:25 p.m.


CHAIRPERSON