



Planning Commission Minutes

Meeting of February 6, 2012

6:00 P.M. to 7:45 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 Commissioner Reynolds at 6:00 p.m.

Roll Call

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

Absent: DeLaPaz.

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

Pledge of Allegiance

Led by Commissioner Pruitt.

Approval of Minutes

1. Approval of Minutes of the Meeting held on January 9, 2012.

Motion by Baca, 2nd by Alvarado, to approve Minutes from the meeting of January 9, 2012.

Motion carried by the following vote:

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

Absent: DeLaPaz.

Abstaining: Reynolds.

Chairman Reynolds stated he is abstaining due to his absence at the last meeting.

Approval of Agenda

Motion by Alvarado, 2nd by Pruitt, for approval of the Agenda for the meeting of February 6, 2012.

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.

Commissioner DeLaPaz arrived at the meeting.

PUBLIC HEARINGS

- 2 Public Hearing – Conditional Use Permit for the addition of liquor sales to an existing beer and wine license at Wal-Mart located at 1100 Highland Avenue. Case File No. 2011-29 CUP.

Staff distributed a handout received from resident, and stated that after discussion with the City Attorney, Condition No. 21 has been removed.

Brett McManigal, representing WalMart responded to Commissioner Baca that he has read, understands and can comply with conditions of approval.

Store hours, extended hours during Holidays, and requested hours to sell alcohol, and store security measures were discussed.

Vanya Vermezobic, Asset Protection Coordinator, Wal-Mart Store, 1100 Highland Avenue, stated that surveillance cameras are in place on the aisle selling alcohol, as well as undercover agents are on the store floor. Staff is now in place checking for

proper purchases as customer leave the store. Additional measures can be adding preventive caps to top of bottles, and block aisles during times when purchases cannot be made. The cash registers also do not allow alcohol sales past established time limits.

Commissioners stated that they would like maximum security measures in place, and that prevention is the best measure.

Mr. McManigal stated that theft is a concern, that the liquor could be stored by the tobacco projects, and that Wal-Mart wishes to be a good corporate neighbor.

Commissioners discussed previous Wal-Mart requests for alcohol sales, proximity to schools and overconcentration, per Alcoholic Beverage Control standards.

Arthur Michner, 1317 D Avenue, resident of Kimball Towers stated that residents of Kimball Towers have no interest in alcohol and the selling of alcohol is associated with vagrants and panhandlers. This application is not good for the community and nearby seniors.

Commissioners discussed the community meeting and noticing.

Motion by Baca, 2nd by Pruitt, to continue the public hearing to the meeting of March 5, 2012, with Wal-Mart to provide details of security measures to be in effect, inside and outside of the store concerning alcohol sales.

Motion carried by the following vote:

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

3. Resolution No. 3-2012. A Resolution of the Planning Commission of the City of National City, California, taking action on a Conditional Use Permit for the addition of liquor sales to an existing beer and wine license at Wal-Mart located at 1100 Highland Avenue. Case File No. 2011-29 CUP.

Motion by Baca, 2nd by DeLaPaz, to continue this item to the meeting of March 5, 2012.

Motion carried by the following vote:

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

4. Public Hearing – Conditional Use Permit for the sale of beer and wine at a new 7-11 Store to be located at 1539 Highland Avenue. Case File No. 2011-32 CUP.

Staff distributed handout received from the Church next door.

Greg Velasquez, 1539 Highland Avenue, property owner, stated that he has read, understands and can comply with conditions of approval. He stated they have met with their neighbor, the Church and issues have been resolved. He stated they had been approached by several people interested in the site to operate pawn shops, tattoo studios, etc. but are interested in a national tenant for the site. They have

spent over \$3,000 recently to clean-up the site, removing trash, graffiti, and keeping the homeless from the site.

Bill Adams, 525 B Street, San Diego, 7-11 Incorporated, spoke in support of the application.

Diane Helm, 2645 K Avenue, Office Manager, 1st Congregational Church, 835 E. 16th Street, stated that their concerns have been addressed after meeting with the applicant. They submitted the letter as the map provided is incorrect.

Commissioners DeLaPaz, Baca and Alvarado expressed concern as this site is close to Otis Elementary School, and a heavy school walking traffic area.

Commissioners discussed the mapping error and if this affects the public noticing.

City Attorney Claudia Silva stated that the public hearing notice is correct, the map is provided as additional information. It is at the discretion of the Commission if they feel this should be re-noticed.

Motion by Baca, 2nd by Pruitt, to close the public hearing and approve Case File No. 2011-32 CUP, based on required findings and subject to conditions of approval.

Motion carried by the following vote:

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

Nays: DeLaPaz.

5. Resolution No. 4-2012. 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 new 7-11 Store to be located at 1539 Highland Avenue. Case File No. 2011-32 CUP.

Motion by Pruitt, 2nd by Flores, to adopt Resolution No. 4-2012.

Motion carried by the following vote:

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

Nays: DeLaPaz.

6. Public Hearing – Conditional Use Permit for the sale of beer and wine at Wingstop Restaurant located at 932 Highland Avenue. Case File No. 2011-31 CUP.

Sherrie Olson, Ontario, CA, applicant, stated that she has read, understands, and concurs with conditions of approval. She stated that this will be a franchise business, with no take-out of beer or wine, and no outdoor seating. She responded to Commissioners questions about training, that food must be purchased to also purchase beer or wine, and proposed hours of operation.

Commissioner Baca commented that no attendees were at the community meeting, and there is no community input. He asked for verification that the mailing went to property owners and residents within 660 feet of the site. He also commented that the Police crime report information is from 2009.

Sherrie Olson stated that she walked the neighborhood and prepared the mailers. She stated that over 300 notices were mailed.

Commissioner Alvarado expressed concern about adequate parking at the site.

Assistant Planner Martin Reeder stated that the parking is correct for the time when the shopping center was built. He further stated that Police crime report information from 2011 is expected.

Commissioners expressed concern that an elementary school is next door.

Motion by Flores, 2nd by Pruitt, to close the public hearing and approve Case File No. 2011-31 CUP, based on required findings and subject to conditions of approval.

Motion carried by the following vote:

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

Nays: Baca.

7. Resolution No. 5-2012. 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 Wingstop Restaurant located at 932 Highland Avenue. Case File No. 2011-31 CUP.

Motion carried by the following vote:

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

Nays: Baca.

City Attorney

No Report.

Executive Director

No Report.

Commissioners

Commissioner Pruitt mentioned the upcoming free community tour of the National City Boys and Girls Club on Tuesday, February 28th, 4:00 to 5:00.

Commissioner DeLaPaz asked if we audit the sales of alcohol at restaurants and stores; if applicants could post community meeting information at the

site, if sunset clauses or annual reviews could be provided. She also commented on no Police personnel in attendance, but helpful reports and rankings provided.

Executive Director Brad Raulston stated that audits are not conducted, and Executive Secretary Lynn Cole stated that submitted total food sales/alcohol sales statements submitted, as required by conditions of approval on restaurants show a very small percent of the sales are for alcohol (average 5 to 10%).


Assistant Planner Martin Reeder stated that staff can investigate amending requirements for community meetings. Applicants have stated they get poor attendance. Ideas include posting community meeting information, informing residents at neighborhood council meetings, etc.

Chairman

Chairman Reynolds asked staff if a conditional use permit has been obtained for the Gold Exchange/Pawn Shop near the 3000 block of E. Plaza Boulevard.

Assistant Planner Martin Reeder stated that this is the Monte de Piedad business at 2720 E. Plaza Boulevard, and a conditional use permit was obtained prior to the moratorium.

Adjournment at 7:45 p.m., to the next Planning Commission meeting scheduled for 6:00 p.m., Monday, March 5, 2012



CHAIRPERSON