



Public Hearing

**Conditional Use Permit for the
operation of a tobacco specialty
business (Mr. V Smoke Shop) at
120 National City Blvd.**

Overhead:



Google Earth

N ↑

Site Characteristics:

- Project site is an existing 896 square-foot commercial suite on a 6,098 square-foot site in Development Zone 1A of the Downtown Specific Plan.
- Surrounding land uses include a barber shop to the north, an auto paint and body shop to the east across National City Boulevard, a vacant commercial suite to the south, and a commercial business to the west across the alley.
- A few residences exist on the same block as the proposed use.

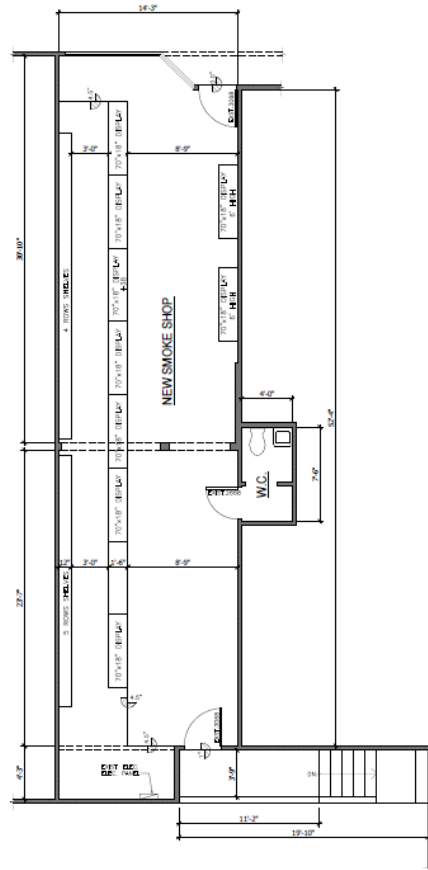
Proposal:

- The applicant proposes to operate a tobacco specialty business (Mr. V Smoke Shop) that sells imported and domestic cigars and cigar smoking paraphernalia.
- Proposed hours of operation are 10:00 a.m. to 10:30 p.m. daily.

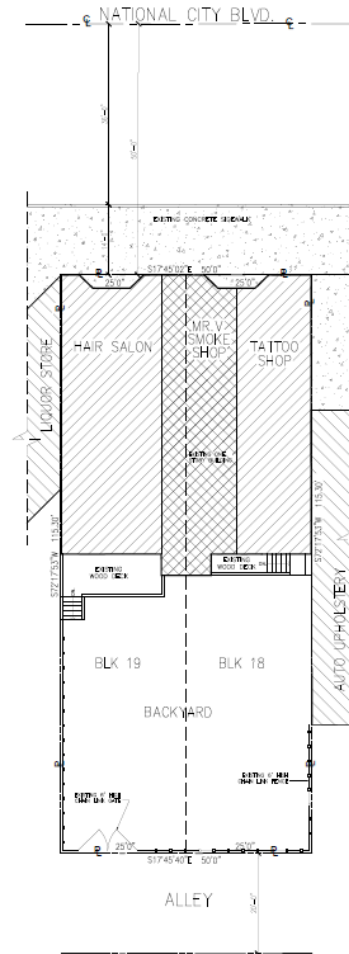
Proposed Floor Plan and Site Plan:

TOTAL AREA OF LEASE SPACE
(896 SQ.FT.)

NOTE:
BUSINESS HOURS: 9 AM TO 9 PM
7 DAYS A WEEK



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



SITE PLAN
SCALE 1" = 10'-0"



SCOPE OF WORK:

EXISTING SHOP TO BE USED AS SMOKE SHOP, NO CHANGES TO STRUCTURE, ELECTRICAL, OR ANY ADDITION TO THE BUILDING, NEW SHELVES, AND PRODUCT DISPLAY CABINETS.

SHEET INDEX:

A-1) 1"=20' SITE PLAN, VICINITY MAP, SITE DATA, FLOOR PLAN.

LEGAL INFORMATION:

LEGAL DESCRIPTION:
BLK 2 LOTS 18 & 19

PROJECT NAME:
MR. V SMOKE SHOP

ZONING:
DOWNTOWN SPECIFIC PLAN

BUILDING ADDRESS:
120 NATIONAL CITY BOULEVARD,
NATIONAL CITY, CA 91950

A.P.N. #: 555-020-14-00

TYPE OF CONSTRUCTION: V-B
STORIES: SINGLE

CONTACT: BUSINESS OWNER
HAITHAM PUTRUS
2546 WIND RIVER RD
EL CAJON CA 92019
CELL: 619-654-4348

BUILDING OWNER:
NATIONAL CITY PROPERTIES LLC
JOEL TUBAO
657 10TH STREET
IMPERIAL BEACH
CA 91932

THE PROJECT WILL COMPLY WITH THE FOLLOWING BUILDING CODES:
a. 2019 CALIFORNIA BUILDING CODE (CBC)
b. 2019 CALIFORNIA GREEN BUILDING STANDARDS CODE (CALGREEN)
c. 2019 CALIFORNIA ELECTRICAL CODE (CEC)
d. 2019 CALIFORNIA MECHANICAL CODE (CMC)
e. 2019 CALIFORNIA PLUMBING CODE (CPC)
f. 2019 CALIFORNIA FIRE CODE (CFC)
g. 2019 CALIFORNIA BUILDING ENERGY EFFICIENCY STANDARDS (CBEES)



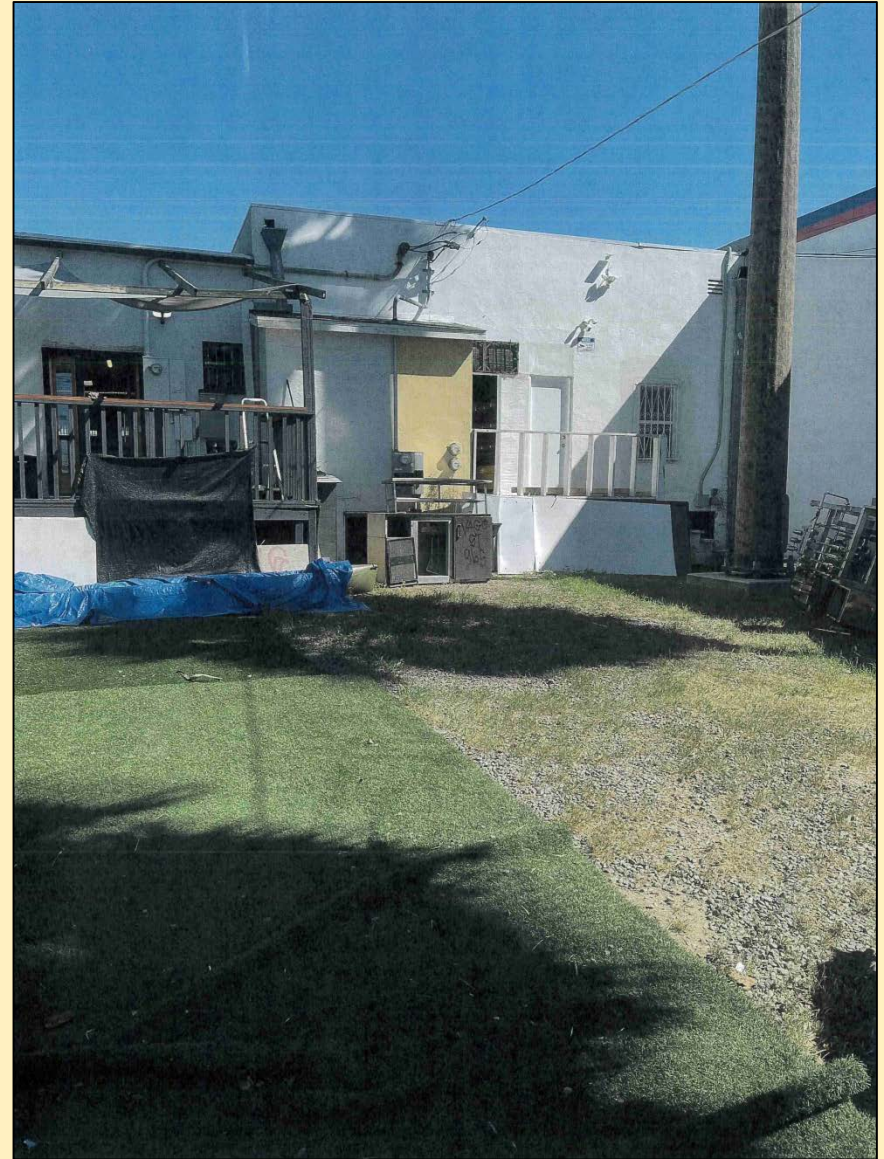
VICINITY MAP
NO SCALE

REVISIONS 1. 11/11/2020 2. 11/11/2020 3. 11/11/2020 4. 11/11/2020 5. 11/11/2020 6. 11/11/2020 7. 11/11/2020 8. 11/11/2020 9. 11/11/2020 10. 11/11/2020	
PLANS PREPARED BY: RAHEE KHAN TEL: (619) 729-5953	
PROJECT: MR. V SMOKE SHOP 120 NATIONAL CITY BOULEVARD NATIONAL CITY, CA 91950	
SITE PLAN FLOOR PLAN	
DATE: 04/05/2020 SCALE: 1"=20' JOB NO: 11/11/2020 SHEET: A-1	A-1

Site Photos:



Site Photos:



Analysis:

- A tobacco specialty business is defined as any business the primary use of which is the use and/or sale of tobacco products and paraphernalia with at least 40% of the floor area dedicated to the sale of these items.
- The proposed business is retail sales of cigars and cigar smoking paraphernalia.
- Development Zone 1A of the Downtown Specific Plan permits commercial business, including retail sales. A retail tobacco specialty business is allowed with approval of a CUP.

Analysis cont.:

- Section 18.30.230 has additional requirements for tobacco specialty businesses:
 - 1,000-foot distance from any school, playground, recreation center or facility, childcare center, or library in the City.
 - No alcohol or food sales on the premises.
 - No person under 21 allowed on the premises without parent or legal guardian.
- No such land uses listed above are within 1,000 feet of the subject property.
- No alcohol or food sales are proposed for this business.
- A condition is proposed to not allow persons under 21 on the premises.

Analysis cont.:

- The U.S. Food and Drug Administration (FDA) states that “cigars are not a safe alternative to cigarettes and cigar smoke is at least as toxic as cigarette smoke, if not more.”
- Product standards prohibiting flavored cigars to prevent youth initiation have been proposed by the FDA.¹
- Electronic cigarettes and similar products carry the risks of exposure to tobacco-related disease and death. The FDA has observed a drastic increase in youth use of these types of products.²
- While the proposed business intends to sell cigar products, electronic cigarettes and other tobacco products could be sold under a CUP for a tobacco specialty business.

1 U.S. Food & Drug Administration website (<https://www.fda.gov/tobacco-products/products-ingredientscomponents/cigars-cigarillos-little-filtered-cigars#:~:text=.FDA%20Regulation%20of%20Cigars,sale%2C%20and%20distribution%20of%20cigars.>)

2 U.S. Food and Drug Administration website (<https://www.fda.gov/tobacco-products/products-ingredientscomponents/e-cigarettes-vapes-and-other-electronic-nicotine-delivery-systemsends#Are%20You%20Looking%20for%20General%20Health%20Information%20about%20ENDS%20Products?>)

General Plan:

- A retail tobacco specialty business is permitted, subject to a CUP, which is consistent with the Land Use and Community Character element of the General Plan.

General Plan cont.:

- The Health and Environmental Justice (HEJ) element of the General Plan raises concerns about the health impacts of poor air quality including cigarette smoke.
- One goal and one policy from the HEJ are related to air quality and tobacco usage:
 - Goal HEJ-2: Improved air quality to protect human and environmental health and minimized air quality impacts on sensitive population groups.
 - Policy HEJ-2.8: Encourage smoke-free workplaces, multi-family housing, parks, and other outdoor gather places to reduce exposure to second-hand smoke.

General Plan cont.:

- The HEJ goal and policy do not specifically address retail sales of tobacco or tobacco-related products. However, they are intended to reduce exposure of the public to the harmful effects of poor air quality and smoking.
- Conditions of approval are proposed for products and advertising that may lead to youth initiation such as e-cigarettes and flavored cigars.

CEQA:

- The project is not subject to CEQA as the proposal involves a retail use on a commercial-zoned property which allows retail uses by right. No physical or environmental impacts would occur as a result of approval of this application.

Conditions:

- Conditions of approval include:
 - Department comments related to any potential physical improvements (none are proposed at this time)
 - Hours of operation (10:00 a.m. to 10:30 p.m. daily)
 - No one under age of 21 permitted
 - Cigarette and Tobacco Products Retailer's License from the State
 - Obtaining and maintaining an active business license
 - Restrictions on advertising that may be viewed from the public
 - No alcohol or food may be sold
 - No products containing THC
 - No employee smoking within 20 feet of the main entrance
 - Compliance with any FDA requirements

Options:

- Approve CUP based on attached findings / findings determined by the Commission, subject to attached conditions; or
- Deny CUP based on findings to be determined by the Commission; or,
- Continue the item for additional information

- Staff recommending approval

- Notice of Decision to City Council